



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB0081

Introduced 1/26/2005, by Sen. J. Bradley Burzynski

SYNOPSIS AS INTRODUCED:

New Act

30 ILCS 105/5.640 new

30 ILCS 105/5.641 new

35 ILCS 5/512

from Ch. 120, par. 5-512

35 ILCS 200/18-45

35 ILCS 200/18-182 new

35 ILCS 200/18-185

105 ILCS 5/18-8.05

Creates the Local Option School District Income Tax Act and amends the School Code, the State Finance Act, the Illinois Income Tax Act, and the Property Tax Code. Authorizes school districts by referendum to impose an income tax on individuals resident of the district. Provides that with referendum approval, the income tax shall be levied at an annual rate, adjusted each year, that will produce for distribution to the district in each calendar year an amount equal to the corresponding 50% reduction that is required to be made in the annual extension of the real property taxes that are levied by the district against residential property for educational, operations and maintenance, and transportation purposes and that are collected and distributed to the district in the same calendar year in which the corresponding income tax revenues are distributed. Provides for a referendum repeal of the tax. Provides for the manner of levying and collecting the tax and for deposit of the income tax revenues in the educational, operations and maintenance, and transportation funds of the district in proportion to the respective amounts by which the taxes in those funds are abated. Provides for disbursement of the tax to school districts by the State Treasurer. Amends the Property Tax Extension Limitation Law to exclude from the definition of "aggregate extension" school district levies made to cover amounts lost because of the repeal of the local income tax for schools as formerly imposed by the district under the Local Option School District Income Tax Act. Amends the State aid formula provisions of the School Code. Provides that the adoption or failure to adopt a local income tax for schools and any disbursement of funds or any tax abatement required under the Local Option School District Income Tax Act shall not affect the computation or distribution of State aid for school districts. Effective immediately.

LRB094 06335 BDD 36410 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT relating to schools.

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

4 Section 1. Short title. This Act may be cited as the Local
5 Option School District Income Tax Act.

6 Section 5. Definitions. In this Act:

7 "Taxable income" means that portion of the net income of a
8 taxpayer that is allocable and apportionable to the school
9 district of which the taxpayer is a resident under the
10 provisions of this Act and the regulations promulgated
11 thereunder.

12 "Net income" means the net income of a taxpayer as defined
13 and as determined and computed for the taxable year under the
14 provisions of the Illinois Income Tax Act.

15 "Taxable year" means the calendar year, or the fiscal year
16 ending in such calendar year, upon the basis of which taxable
17 income is computed under this Act, and also includes a
18 fractional part of a year for which income is earned.

19 "Resident" means an individual who is in a school district
20 for other than a temporary transitory purpose during the
21 taxable year, or who is domiciled in that school district but
22 is absent therefrom for a temporary or transitory purpose
23 during the taxable year.

24 "Residential property" means (i) property that is
25 "homestead property" within the meaning of Section 15-175 of
26 the Property Tax Code, and (ii) any other real property that is
27 used solely for residential purposes and that is improved with
28 a structure that consists only of not more than 6 residential
29 units, at least one of which is occupied as the principal
30 dwelling place of the owner or owners of the property.

31 Section 10. Referendum; imposition of tax; limitations.

1 The school board of each school district, including special
2 charter districts as defined in Section 1-3 of the School Code
3 and school districts organized under Article 34 of that Code,
4 may by proper resolution or shall upon receipt of a petition of
5 5% of the voters who voted in the school district in the last
6 gubernatorial election cause to be submitted to the voters of
7 the school district at the general election held in November of
8 an even-numbered year or at the nonpartisan election held in
9 November of an odd-numbered year, in accordance with the
10 general election law, a proposition to authorize an annual
11 local income tax for schools, measured as a non-graduated
12 percentage of the taxable income of individuals resident of the
13 district and imposed only in increments of 0.125%, to be
14 imposed on every such individual on the privilege of earning or
15 receiving income as a resident of the school district; provided
16 that the tax shall not be imposed on income earned or received
17 by an individual during any period in which the individual is a
18 nonresident of the school district even though the income is
19 earned or received in that school district. The resolution
20 shall be adopted or the petition shall be filed under this
21 Section not less than 90 days before the date of the November
22 election at which the proposition is to be submitted to the
23 voters of the school district.

24 The resolution or petition to submit the proposition to the
25 voters of the district shall: (i) specify an estimated initial
26 rate at which the tax is proposed to be imposed; (ii) state
27 that the actual initial rate at which the tax is imposed shall
28 be computed by the Department of Revenue and shall be adjusted
29 every 12 months thereafter; and (iii) state that the actual
30 initial rate and the rate as adjusted and imposed for each
31 succeeding 12 month period shall be computed by the Department
32 of Revenue in such manner as to produce, from the tax imposed
33 under this Act, aggregate income tax revenues for distribution
34 to the school district in each calendar year that are equal, as
35 near as may be, to the 50% abatement that the county clerk is
36 required to make in each such calendar year, as provided in

1 Section 40, in extending against residential property located
2 in the district taxes levied by the district during the
3 preceding calendar year for the educational, operations and
4 maintenance, and transportation purposes of the district. The
5 proposition shall state the approximate initial rate at which
6 the tax is proposed to be imposed, as computed by the
7 Department of Revenue under subsection (b) of Section 15, and
8 shall be in substantially the following form:

9 Shall School District No. be authorized to impose
10 a local income tax for schools at an initial annual rate of
11 approximately ...% on the taxable income earned or received
12 by individuals who are residents of the school district, if
13 the actual initial rate at which the tax is imposed is
14 adjusted every 12 months thereafter, and if the actual
15 initial rate and the rate as adjusted and imposed for each
16 succeeding 12 month period are computed by the Department
17 of Revenue in such manner as to produce aggregate income
18 tax revenues for distribution to the school district in
19 each calendar year that are equal, as near as may be, to a
20 50% reduction that would then have to be made in each such
21 calendar year in the extension against residential
22 property of real property taxes levied by the district
23 during the preceding calendar year for the educational,
24 operations and maintenance, and transportation purposes of
25 the district?

26 The votes shall be recorded as "Yes" or "No". If a majority of
27 the votes cast at the election on the proposition to impose the
28 local income tax for schools is in favor thereof, the school
29 board shall, commencing on March 1 of the calendar year
30 immediately succeeding the calendar year in which the election
31 is held and thereafter, unless such authority is repealed as
32 provided in Section 25, impose the annual tax at an annual rate
33 as initially computed and as computed and adjusted every 12
34 months thereafter by the Department of Revenue as provided in
35 subsection (c) of Section 15.

1 Section 15. Determination of annual rate.

2 (a) Upon a school board's adoption of a resolution or
3 receipt of a petition to impose within the school district the
4 local income tax for schools as provided in this Act, the
5 school board shall request the county clerk of each county in
6 which all or any part of the territory of the school district
7 is located to certify, and each such county clerk shall
8 certify, to the school board and to the Department of Revenue,
9 not later than August 1 of the calendar year in which the
10 proposition to impose a local income tax for schools is to be
11 submitted to the voters of the district at a regular election
12 held in November of that year, an amount equal to the aggregate
13 amount of real property taxes that could be extended against
14 the equalized assessed valuation of the taxable residential
15 property in the district for the educational, operations and
16 maintenance, and transportation purposes of the district (i) if
17 those real property taxes are levied at the maximum rates at
18 which the district is authorized to levy those taxes for the
19 fiscal year of the district that begins in the calendar year in
20 which the resolution is adopted or the petition is received,
21 and (ii) if those real property taxes are extended at those
22 rates against the equalized assessed valuation of the taxable
23 residential property in the district for the calendar year in
24 which the petition is filed or the resolution is adopted.

25 (b) Not more than 15 days after receipt by the Department
26 of Revenue of the certification or certifications required to
27 be made by the county clerk or county clerks as provided in
28 subsection (a), the Department of Revenue shall compute and
29 certify to the school board of the school district the
30 approximate rate, calculated to the nearest 0.125%, that, had
31 this Act been in effect during the calendar year immediately
32 preceding the calendar year in which the resolution is adopted
33 or the petition is received, and had the local income tax for
34 schools been imposed and collected under this Act within the
35 district during each of the 12 months comprising that
36 immediately preceding calendar year at that approximate rate,

1 would have produced in collected income taxes that were
2 distributable to that school district for that calendar year an
3 amount equal or substantially equal to but not greater than 50%
4 of the total amount or amounts certified by the county clerk or
5 county clerks, as the case may be, under subsection (a). The
6 approximate rate as computed by the Department of Revenue under
7 this subsection shall be the approximate initial annual rate
8 that must be stated in the proposition that is submitted to the
9 voters of the district under Section 10.

10 (c) Not later than February 1 of each calendar year during
11 any part of which the local income tax for schools is or will
12 be imposed in a school district, each county clerk in which all
13 or any part of the school district is located shall compute and
14 certify to the Department of Revenue and the school board, as
15 provided in Section 40, the aggregate amount of the abatement
16 required to be made under that Section in each such calendar
17 year in the extension against the residential property located
18 in the district of taxes levied by the district in the
19 preceding calendar year for educational, operations and
20 maintenance, and transportation purposes. Within 10 days after
21 the receipt by the Department of Revenue of the annual
22 certification required to be made by each county clerk in which
23 all or any part of the school district is located, the
24 Department of Revenue shall compute the actual initial rate
25 (with respect to the 12 month period that commences on March 1
26 of the first calendar year during which the local income tax
27 for schools is to imposed) or the adjusted rate (with respect
28 to each successive 12 month period), calculated to the nearest
29 0.125%, that, had the local income tax for schools been imposed
30 and collected within the district during each of the 12 months
31 comprising the calendar year immediately preceding the
32 calendar year in which the Department is required to compute
33 the rate under this subsection, would have produced, in
34 collected local school income taxes that were distributable to
35 the school district for that calendar year, an amount equal or
36 substantially equal to but not greater than the aggregate

1 amount of the abatement computed and certified by the county
2 clerk or county clerks to the Department in the calendar year
3 in which the Department computes the rate under this
4 subsection. The actual initial rate or the adjusted rate that
5 is computed and certified by the Department of Revenue in each
6 such calendar year as provided in this subsection shall be the
7 annual rate at which the local income tax for schools is
8 imposed in the district for the 12 month period that commences
9 on March 1 of the calendar year in which the Department
10 computes and certifies the rate.

11 Section 20. Apportionment of income. The method of
12 allocating and apportioning income earned in the school
13 district by individuals who earn only a portion of their income
14 in that district shall be established by rules and regulations
15 that the Department of Revenue shall adopt for that purpose.
16 The method so established shall be determined, as near as may
17 be, in accordance with the provisions of Article III of the
18 Illinois Income Tax Act, governing the manner in which income
19 and items of deduction are allocated and apportioned to this
20 State with respect to part-year residents and other persons.

21 Section 25. Repeal of local income tax for schools;
22 referendum. The school board of a school district may by
23 resolution, or shall upon the petition of 5% of the voters who
24 voted in the school district in the last gubernatorial
25 election, cause to be submitted to the voters of that district
26 in accordance with the general election law a proposition to
27 repeal the local income tax for schools. The proposition to
28 repeal the local income tax for schools may be submitted to the
29 voters of the district only at the general election held in
30 November of an even-numbered year or at the nonpartisan
31 election held in November of an odd-numbered year. The
32 resolution or petition to submit the proposition to the voters
33 of the district shall: (i) state that the proposed repeal of
34 the local income tax for schools is to take effect on March 1

1 of the calendar year following the calendar year in which the
2 November election is held; (ii) state that amounts to be
3 collected from the imposition of the local income tax for
4 schools through February of the calendar year in which the
5 proposed repeal of the tax is to take effect shall be
6 distributed to the school district as provided in this Act on
7 July 1 of that calendar year; and (iii) state that when the
8 proposed repeal of the local income tax for schools takes
9 effect, the extension of real property taxes against
10 residential property thereafter levied by the school district
11 for the educational, operations and maintenance, and
12 transportation purposes of the district shall no longer be
13 abated under the provisions of this Act. The proposition shall
14 be in substantially the following form:

15 Shall the local income tax for schools that is imposed
16 by School District No. be repealed effective March 1,
17 if, when that repeal takes effect, the extension of
18 the real property taxes against residential property
19 thereafter levied by the school district for its
20 educational, operations and maintenance, and
21 transportation purposes will no longer be reduced each year
22 by 50%?

23 The votes shall be recorded as "Yes" or "No". If a majority of
24 the votes cast on the proposition to repeal the local income
25 tax for schools is in favor thereof, that tax shall not be
26 imposed on or after March 1 of the calendar year following the
27 year in which the election is held unless again authorized as
28 provided in Section 10.

29 Section 30. Collection.

30 (a) Any tax authorized under this Act shall be imposed only
31 on income earned on or after March 1 of the calendar year
32 following the referendum held in November of the immediately
33 preceding calendar year at which imposition of the tax is
34 authorized. The tax so imposed shall be paid by the taxpayer on
35 or before the fifteenth day of the fourth month following the

1 close of each taxable year during which the tax is imposed and
2 shall be submitted to the Department of Revenue along with the
3 taxpayer's return under the Illinois Income Tax Act. The tax
4 shall be collected by the Department of Revenue. The
5 certification of the results of the referendum authorizing the
6 tax by the proper election officials, accompanied by the
7 resolution of the school board imposing the tax as authorized
8 and the computation by the Department of Revenue in accordance
9 with subsection (c) of Section 15 of the actual initial rate of
10 the tax to be imposed under this Act, shall constitute the
11 authority of the Department of Revenue to collect the tax.
12 Whenever a proposition to authorize imposition of the local
13 income tax for schools is approved by the voters of any school
14 district as provided in this Act, the county clerk of each
15 county in which that school district is located shall certify
16 the territorial boundaries of the district to the Department of
17 Revenue, and the Department shall (i) promptly notify all
18 individuals resident of the district who have previously filed
19 a return with respect to the taxes imposed by the Illinois
20 Income Tax Act that the local income tax for schools will be
21 imposed within the district beginning on March 1 of the
22 calendar year immediately following the calendar year in which
23 the election authorizing imposition of the tax is held and the
24 manner in which the tax is to be collected by and paid to the
25 Department of Revenue, and (ii) publish notice in a newspaper
26 published in the school district or, if there is no such
27 newspaper, then in a newspaper published in the county in which
28 the school district is located and having circulation in the
29 district, that the local income tax for schools will be imposed
30 within the district and the manner in which the tax is to be
31 collected by and paid to the Department of Revenue. In
32 addition, not later than the 15th day of February of each
33 calendar year in which the Department computes and certifies
34 the rate at which the local income tax for schools is to be
35 imposed for the 12 month period that commences on March 1 of
36 that calendar year, the Department shall publish notice in a

1 newspaper published in the district (or if there is no such
2 newspaper, then in a newspaper published in the county in which
3 the district is located and having circulation in the district)
4 of the actual initial rate or adjusted rate, as the case may
5 be, at which the tax will be imposed within the district during
6 the 12 month period commencing on that March 1. Any tax imposed
7 under this Act shall be collected by and paid to the Department
8 of Revenue at the same time and in the same manner, with the
9 same withholding and estimated payment requirements and
10 subject to the same assessment and refund procedures,
11 penalties, and interest as the tax imposed by the Illinois
12 Income Tax Act. Except as provided in subsection (b) of this
13 Section, the Department of Revenue shall forthwith pay over to
14 the State Treasurer, ex officio, as trustee, all moneys
15 received by it on behalf of the school district under this
16 Section, to be deposited into a special account that the State
17 Treasurer and State Comptroller shall establish and maintain
18 for the benefit of that school district in the Local Option
19 School District Income Tax Fund, a special fund that is hereby
20 created in the State treasury, to be held and disbursed by the
21 State Treasurer and State Comptroller as provided in this
22 Section and Section 35. All interest earned from the investment
23 of any moneys from time to time held in the Local Option School
24 District Income Tax Fund and any special accounts established
25 in that Fund shall be retained by the State Treasurer to be
26 applied toward costs incurred by the Department of Revenue in
27 administering and enforcing this Act.

28 (b) The Local Option School District Income Tax Refund Fund
29 is hereby created in the State Treasury. The Department of
30 Revenue shall deposit a percentage of the amounts collected
31 from the tax imposed under this Act by any school district into
32 a special account that the State Treasurer and State
33 Comptroller shall establish and maintain within the Local
34 Option School District Income Tax Refund Fund for the purpose
35 of paying refunds resulting from overpayment of tax liability
36 under this Act with respect to that school district. The

1 Department of Revenue shall determine the percentage of the
2 amounts collected from the tax imposed under this Act by any
3 school district that is to be deposited into the special
4 account maintained in the Local Option School District Income
5 Tax Refund Fund to pay refunds resulting from overpayment of
6 tax liability under this Act with respect to that school
7 district and shall certify that percentage to the Comptroller,
8 all in accordance with rules adopted by the Department of
9 Revenue for purposes of this Section. Money in the special
10 account maintained in the Local Option School District Income
11 Tax Refund Fund with respect to any school district shall be
12 expended exclusively for the purpose of paying refunds
13 resulting from overpayment of tax liability under this Act with
14 respect to that school district. The Director of Revenue shall
15 order payment of refunds resulting from overpayment of tax
16 liability under this Act from the special account maintained
17 with respect to a school district in the Local Option School
18 District Income Tax Refund Fund only to the extent that amounts
19 collected pursuant to this Act for that school district have
20 been deposited into and retained in that special account. This
21 Section shall constitute an irrevocable and continuing
22 appropriation from the Local Option School District Income Tax
23 Refund Fund and the special accounts established and maintained
24 therein for the purpose of paying refunds upon the order of the
25 Director of Revenue in accordance with the provisions of this
26 Section.

27 (c) The Department of Revenue shall promulgate such rules
28 and regulations as may be necessary to implement the provisions
29 of this Act.

30 Section 35. Certification, disbursement, and use of funds.

31 (a) On July 1 of each calendar year, or the first following
32 business day if July 1 falls on a Saturday, Sunday, or holiday,
33 the Department of Revenue shall certify to the State Treasurer
34 and State Comptroller the disbursement of stated sums of money
35 to each school district in which a tax authorized by this Act

1 has been imposed and collected during the preceding calendar
2 year. On each certification date, the amount to be certified
3 for disbursement from the special account maintained for a
4 school district in the Local Option School District Income Tax
5 Fund shall be the amount deposited into that special account
6 from the tax collected under this Act for that school district
7 during the 12 month period that commences on March 1 of the
8 immediately preceding calendar year, reduced by an amount equal
9 to 2% of the amount so deposited into that special account to
10 be retained by the State Treasurer and applied toward the costs
11 incurred by the Department of Revenue in administering and
12 enforcing this Act.

13 (b) At the time of each disbursement to a school district,
14 the Department of Revenue shall prepare and certify to the
15 Comptroller the amount retained by the State Treasurer as
16 provided in this Section and the interest earned from the
17 investment of moneys from time to time held in the Local Option
18 School District Income Tax Fund and any special accounts
19 established therein as provided in subsection (a) of Section 30
20 to be applied toward the costs incurred by the Department in
21 administering and enforcing this Act, the amount so retained
22 and the interest so earned to be paid into the General Revenue
23 Fund of the State Treasury.

24 (c) Within 5 days after receipt by the Comptroller from the
25 Department of Revenue of the certification of disbursements to
26 the school districts and General Revenue Fund as provided in
27 this Section, the Comptroller shall cause the warrants to be
28 drawn for the respective amounts in accordance with the
29 directions contained in the certification.

30 (d) If for any reason the General Assembly fails to make an
31 appropriation sufficient to pay each school district the full
32 amount required to be disbursed and paid to it by this Section
33 and any other provision of this Act, then this Section shall
34 constitute an irrevocable and continuing appropriation of all
35 amounts necessary for that purpose and the irrevocable and
36 continuing authority for and direction to the Comptroller and

1 Treasurer of the State to make the necessary transfers out of
2 and disbursements from the revenues and funds of the State for
3 that purpose.

4 (e) The school board of each school district that receives
5 a disbursement under this Act shall apply and credit the moneys
6 so disbursed to the educational, operations and maintenance,
7 and transportation funds of the district in proportion to the
8 ratio that the amount that the required abatement under Section
9 40 in the extension against the residential property located in
10 the district, during the disbursement year, of real property
11 taxes levied by the district in each of those 3 funds bears to
12 the aggregate amount of the required abatement under that
13 Section in the extension against such residential property,
14 during the disbursement year, of real property taxes levied by
15 the district in all 3 of those funds.

16 Section 40. Abatement of extension of real property taxes
17 on residential property.

18 (a) During each calendar year in which a disbursement is
19 required to be made under Section 35 to a school district of
20 moneys credited to a special account maintained for that
21 district in the Local Option School District Income Tax Fund,
22 the county clerk shall abate the extension against residential
23 property located in the district of taxes levied by the
24 district for educational, operations and maintenance, and
25 transportation purposes. If any such school district is located
26 in more than one county, the amount of the extension of real
27 property taxes levied for educational, operations and
28 maintenance, and transportation purposes against residential
29 property situated within that district to be so abated shall be
30 apportioned by the county clerks of those counties based upon
31 the ratio of the aggregate assessed value of the taxable
32 residential property of the district in each such county.
33 Before any abatement of the extension of real property taxes
34 levied for educational, operations and maintenance, and
35 transportation purposes against residential property situated

1 within a school district is made as provided in this Section,
2 the county clerk shall determine whether the amount of each of
3 the educational, operations and maintenance, and
4 transportation tax levies that has been certified for extension
5 is based on a rate at which the district making the
6 certification is authorized by statute or referendum to levy
7 that tax, shall disregard any excess, and shall extend the levy
8 of that tax in accordance with the provisions of the Property
9 Tax Code, subject to abatement of the extension as provided in
10 this Section.

11 (b) Not later than February 1 of each calendar year in
12 which the extension against residential property located in a
13 school district of taxes levied by the district for
14 educational, operations and maintenance, and transportation
15 purposes is required to be abated under subsection (a), the
16 county clerk shall determine the aggregate amount of the
17 required abatement and shall certify that amount to the
18 Department of Revenue and the school board. The aggregate
19 amount of the required abatement in each such calendar year
20 shall be equal to 50% of that portion of the total levy for
21 educational, operations and maintenance, and transportation
22 purposes certified by the school district to the county clerk
23 in the preceding calendar year for extension against all
24 taxable property in the district that the county clerk
25 determines would, but for the abatement required under this
26 Section, be extended against the equalized assessed value of
27 the taxable residential property located in the district. In
28 extending taxes levied for the educational, operations and
29 maintenance, and transportation purposes of the school
30 district in the year in which the abatement is required to be
31 made, the county clerk shall apportion the aggregate amount of
32 the required abatement among the extensions made of the
33 educational, operations and maintenance, and transportation
34 taxes levied by the district based upon the ratio that the
35 amount certified for levy for each of those 3 purposes bears to
36 the aggregate amount certified for levy for all 3 of those

1 purposes. In certifying to the school board the aggregate
2 amount of the required abatement, the county clerk shall
3 further certify the amount by which each of the respective
4 levies made for the educational, operations and maintenance,
5 and transportation purposes of the district will be reduced.

6 Section 45. Property tax rates. The provisions of this Act
7 for abatement in the extension against residential property of
8 real property taxes levied by school districts for educational,
9 operations and maintenance, and transportation purposes do not
10 constitute and shall not be construed to be a limitation on or
11 a reduction in the rate at which any school district now is or
12 hereafter may be authorized by statute or referendum to levy
13 taxes for any lawful school purpose.

14 Section 50. Penalties. Any person who is subject to the
15 provisions of this Act and who willfully fails to file a
16 return, or who willfully violates any rule or regulation of the
17 Department of Revenue for the administration or enforcement of
18 this Act, or who willfully attempts in any other manner to
19 evade or defeat any tax imposed by this Act or the payment
20 thereof, shall in addition to other penalties be guilty of a
21 Class B misdemeanor. A prosecution for any violation of this
22 Act may be commenced within 3 years of the commission of that
23 act.

24 Section 100. The State Finance Act is amended by adding
25 Sections 5.640 and 5.641 as follows:

26 (30 ILCS 105/5.640 new)

27 Sec. 5.640. The Local Option School District Income Tax
28 Fund.

29 (30 ILCS 105/5.641 new)

30 Sec. 5.641. The Local Option School District Income Tax
31 Refund Fund.

1 Section 105. The Illinois Income Tax Act is amended by
2 changing Section 512 as follows:

3 (35 ILCS 5/512) (from Ch. 120, par. 5-512)

4 Sec. 512. School district data; local option school income
5 tax; net income attributable to period prior to March 1 and to
6 period on and after March 1 of a taxable year.

7 (a) All individual income tax return forms for tax years
8 ending December 31, 1986 through December 30, 1995 shall
9 contain an appropriate space in which the taxpayer must
10 indicate either (i) the name and number of the high school
11 district in which they reside on the date such return is filed,
12 or (ii) the name and number of the unit school district in
13 which they reside on the date such return is filed. Failure of
14 the taxpayer to insert such information shall not invalidate
15 the return.

16 (b) For all tax years ending December 31, 1995 and
17 thereafter, the Department shall provide the State Board of
18 Education with information on individual income tax receipts by
19 school district from the data collected by the Geographic
20 Information System maintained by the Department.

21 (c) All individual income tax forms for tax years ending on
22 or after December 31, 2005 shall contain appropriate space for
23 a taxpayer who resides within a school district that imposes a
24 local income tax for schools under the Local Option School
25 District Income Tax Act to calculate the tax due from the
26 taxpayer under that Act. The Department shall provide, with the
27 return, instructions for calculating and paying the local
28 income tax for schools as provided in the Local Option School
29 District Income Tax Act.

30 (d) With respect to each taxable year of a resident of a
31 school district in which the local income tax for schools is
32 imposed under the Local Option School District Income Tax Act,
33 for purposes of computing the tax due from a resident under
34 that Act, net income for the period before March 1 of the

1 taxable year shall be that amount which bears the same ratio to
2 the resident's net income for the entire taxable year as the
3 number of days in that year before March 1 bears to the total
4 number of days in that year, and net income for the period of
5 the taxable year that begins on March 1 and ends on the last
6 day of the taxable year shall be that amount which bears the
7 same ratio to the resident's net income for the entire taxable
8 year as the number of days in that year beginning March 1 bears
9 to the total number of days in that year. As used in this
10 subsection, the terms "taxable year", "resident", and "net
11 income" have the meaning ascribed to them by Section 5 of the
12 Local Option School District Income Tax Act.

13 (Source: P.A. 89-21, eff. 7-1-95.)

14 Section 110. The Property Tax Code is amended by changing
15 Sections 18-45 and 18-185 and adding Section 18-182 as follows:

16 (35 ILCS 200/18-45)

17 Sec. 18-45. Computation of rates. Except as provided
18 below, each county clerk shall estimate and determine the rate
19 per cent upon the equalized assessed valuation for the levy
20 year of the property in the county's taxing districts and
21 special service areas, as established under Article VII of the
22 Illinois Constitution, so that the rate will produce, within
23 the proper divisions of that county, not less than the net
24 amount that will be required by the county board or certified
25 to the county clerk according to law. Prior to extension, the
26 county clerk shall determine the maximum amount of tax
27 authorized to be levied by any statute. If the amount of any
28 tax certified to the county clerk for extension exceeds the
29 maximum, the clerk shall extend only the maximum allowable
30 levy.

31 The county clerk shall exclude from the total equalized
32 assessed valuation, whenever estimating and determining it
33 under this Section and Sections 18-50 through 18-105, the
34 equalized assessed valuation in the percentage which has been

1 agreed to by each taxing district, of any property or portion
2 thereof within an Enterprise Zone upon which an abatement of
3 taxes was made under Section 18-170. However, if a municipality
4 has adopted tax increment financing under Division 74.4 of
5 Article 11 of the Illinois Municipal Code, the county clerk
6 shall estimate and determine rates in accordance with Sections
7 11-74.4-7 through 11-74.4-9 of that Act. Beginning on January
8 1, 1998 and thereafter, the equalized assessed value of all
9 property for the computation of the amount to be extended
10 within a county with 3,000,000 or more inhabitants shall be the
11 sum of (i) the equalized assessed value of such property for
12 the year immediately preceding the levy year as established by
13 the assessment and equalization process for the year
14 immediately prior to the levy year, (ii) the equalized assessed
15 value of any property that qualifies as new property, as
16 defined in Section 18-185, or annexed property, as defined in
17 Section 18-225, for the current levy year, and (iii) any
18 recovered tax increment value, as defined in Section 18-185,
19 for the current levy year, less the equalized assessed value of
20 any property that qualifies as disconnected property, as
21 defined in Section 18-225, for the current levy year.

22 The provisions of this Section and the authority and
23 responsibility of the county clerks hereunder are subject to
24 the provisions of Section 18-182 of the Property Tax Code and
25 Section 40 of the Local Option School District Income Tax Act
26 relative to abatement in the extension of taxes levied by
27 school districts in which the tax authorized by the Local
28 Option School District Income Tax Act is imposed, levied, and
29 collected.

30 (Source: P.A. 90-320, eff. 1-1-98.)

31 (35 ILCS 200/18-182 new)

32 Sec. 18-182. Abatement; local income tax for schools. With
33 respect to a school district in which the local income tax for
34 schools is imposed under the Local Option School District
35 Income Tax Act, the county clerk of a county in which all or

1 any part of the district is located shall abate the extension
2 against residential property located in the district and county
3 of taxes levied by the district for educational, operations and
4 maintenance, and transportation purposes as provided in and
5 subject to the requirements of Section 40 of that Act. As used
6 in this Section, the term "residential property" has the
7 meaning ascribed to it in Section 5 of the Local Option School
8 District Income Tax Act.

9 (35 ILCS 200/18-185)

10 Sec. 18-185. Short title; definitions. This Division 5 may
11 be cited as the Property Tax Extension Limitation Law. As used
12 in this Division 5:

13 "Consumer Price Index" means the Consumer Price Index for
14 All Urban Consumers for all items published by the United
15 States Department of Labor.

16 "Extension limitation" means (a) the lesser of 5% or the
17 percentage increase in the Consumer Price Index during the
18 12-month calendar year preceding the levy year or (b) the rate
19 of increase approved by voters under Section 18-205.

20 "Affected county" means a county of 3,000,000 or more
21 inhabitants or a county contiguous to a county of 3,000,000 or
22 more inhabitants.

23 "Taxing district" has the same meaning provided in Section
24 1-150, except as otherwise provided in this Section. For the
25 1991 through 1994 levy years only, "taxing district" includes
26 only each non-home rule taxing district having the majority of
27 its 1990 equalized assessed value within any county or counties
28 contiguous to a county with 3,000,000 or more inhabitants.
29 Beginning with the 1995 levy year, "taxing district" includes
30 only each non-home rule taxing district subject to this Law
31 before the 1995 levy year and each non-home rule taxing
32 district not subject to this Law before the 1995 levy year
33 having the majority of its 1994 equalized assessed value in an
34 affected county or counties. Beginning with the levy year in
35 which this Law becomes applicable to a taxing district as

1 provided in Section 18-213, "taxing district" also includes
2 those taxing districts made subject to this Law as provided in
3 Section 18-213.

4 "Aggregate extension" for taxing districts to which this
5 Law applied before the 1995 levy year means the annual
6 corporate extension for the taxing district and those special
7 purpose extensions that are made annually for the taxing
8 district, excluding special purpose extensions: (a) made for
9 the taxing district to pay interest or principal on general
10 obligation bonds that were approved by referendum; (b) made for
11 any taxing district to pay interest or principal on general
12 obligation bonds issued before October 1, 1991; (c) made for
13 any taxing district to pay interest or principal on bonds
14 issued to refund or continue to refund those bonds issued
15 before October 1, 1991; (d) made for any taxing district to pay
16 interest or principal on bonds issued to refund or continue to
17 refund bonds issued after October 1, 1991 that were approved by
18 referendum; (e) made for any taxing district to pay interest or
19 principal on revenue bonds issued before October 1, 1991 for
20 payment of which a property tax levy or the full faith and
21 credit of the unit of local government is pledged; however, a
22 tax for the payment of interest or principal on those bonds
23 shall be made only after the governing body of the unit of
24 local government finds that all other sources for payment are
25 insufficient to make those payments; (f) made for payments
26 under a building commission lease when the lease payments are
27 for the retirement of bonds issued by the commission before
28 October 1, 1991, to pay for the building project; (g) made for
29 payments due under installment contracts entered into before
30 October 1, 1991; (h) made for payments of principal and
31 interest on bonds issued under the Metropolitan Water
32 Reclamation District Act to finance construction projects
33 initiated before October 1, 1991; (i) made for payments of
34 principal and interest on limited bonds, as defined in Section
35 3 of the Local Government Debt Reform Act, in an amount not to
36 exceed the debt service extension base less the amount in items

1 (b), (c), (e), and (h) of this definition for non-referendum
2 obligations, except obligations initially issued pursuant to
3 referendum; (j) made for payments of principal and interest on
4 bonds issued under Section 15 of the Local Government Debt
5 Reform Act; (k) made by a school district that participates in
6 the Special Education District of Lake County, created by
7 special education joint agreement under Section 10-22.31 of the
8 School Code, for payment of the school district's share of the
9 amounts required to be contributed by the Special Education
10 District of Lake County to the Illinois Municipal Retirement
11 Fund under Article 7 of the Illinois Pension Code; the amount
12 of any extension under this item (k) shall be certified by the
13 school district to the county clerk; (l) made to fund expenses
14 of providing joint recreational programs for the handicapped
15 under Section 5-8 of the Park District Code or Section 11-95-14
16 of the Illinois Municipal Code; (m) made for temporary
17 relocation loan repayment purposes pursuant to Sections 2-3.77
18 and 17-2.2d of the School Code; ~~and~~ (n) made for payment of
19 principal and interest on any bonds issued under the authority
20 of Section 17-2.2d of the School Code; (o) and (m) made for
21 contributions to a firefighter's pension fund created under
22 Article 4 of the Illinois Pension Code, to the extent of the
23 amount certified under item (5) of Section 4-134 of the
24 Illinois Pension Code; and (p) made by a school district to
25 replace revenues lost as a result of the repeal of the local
26 income tax for schools as formerly imposed by the district
27 under the Local Option School District Income Tax Act.

28 "Aggregate extension" for the taxing districts to which
29 this Law did not apply before the 1995 levy year (except taxing
30 districts subject to this Law in accordance with Section
31 18-213) means the annual corporate extension for the taxing
32 district and those special purpose extensions that are made
33 annually for the taxing district, excluding special purpose
34 extensions: (a) made for the taxing district to pay interest or
35 principal on general obligation bonds that were approved by
36 referendum; (b) made for any taxing district to pay interest or

1 principal on general obligation bonds issued before March 1,
2 1995; (c) made for any taxing district to pay interest or
3 principal on bonds issued to refund or continue to refund those
4 bonds issued before March 1, 1995; (d) made for any taxing
5 district to pay interest or principal on bonds issued to refund
6 or continue to refund bonds issued after March 1, 1995 that
7 were approved by referendum; (e) made for any taxing district
8 to pay interest or principal on revenue bonds issued before
9 March 1, 1995 for payment of which a property tax levy or the
10 full faith and credit of the unit of local government is
11 pledged; however, a tax for the payment of interest or
12 principal on those bonds shall be made only after the governing
13 body of the unit of local government finds that all other
14 sources for payment are insufficient to make those payments;
15 (f) made for payments under a building commission lease when
16 the lease payments are for the retirement of bonds issued by
17 the commission before March 1, 1995 to pay for the building
18 project; (g) made for payments due under installment contracts
19 entered into before March 1, 1995; (h) made for payments of
20 principal and interest on bonds issued under the Metropolitan
21 Water Reclamation District Act to finance construction
22 projects initiated before October 1, 1991; (h-4) made for
23 stormwater management purposes by the Metropolitan Water
24 Reclamation District of Greater Chicago under Section 12 of the
25 Metropolitan Water Reclamation District Act; (i) made for
26 payments of principal and interest on limited bonds, as defined
27 in Section 3 of the Local Government Debt Reform Act, in an
28 amount not to exceed the debt service extension base less the
29 amount in items (b), (c), and (e) of this definition for
30 non-referendum obligations, except obligations initially
31 issued pursuant to referendum and bonds described in subsection
32 (h) of this definition; (j) made for payments of principal and
33 interest on bonds issued under Section 15 of the Local
34 Government Debt Reform Act; (k) made for payments of principal
35 and interest on bonds authorized by Public Act 88-503 and
36 issued under Section 20a of the Chicago Park District Act for

1 aquarium or museum projects; (l) made for payments of principal
2 and interest on bonds authorized by Public Act 87-1191 or
3 93-601 and (i) issued pursuant to Section 21.2 of the Cook
4 County Forest Preserve District Act, (ii) issued under Section
5 42 of the Cook County Forest Preserve District Act for
6 zoological park projects, or (iii) issued under Section 44.1 of
7 the Cook County Forest Preserve District Act for botanical
8 gardens projects; (m) made pursuant to Section 34-53.5 of the
9 School Code, whether levied annually or not; (n) made to fund
10 expenses of providing joint recreational programs for the
11 handicapped under Section 5-8 of the Park District Code or
12 Section 11-95-14 of the Illinois Municipal Code; (o) made by
13 the Chicago Park District for recreational programs for the
14 handicapped under subsection (c) of Section 7.06 of the Chicago
15 Park District Act; ~~and~~ (p) made for contributions to a
16 firefighter's pension fund created under Article 4 of the
17 Illinois Pension Code, to the extent of the amount certified
18 under item (5) of Section 4-134 of the Illinois Pension Code;
19 and (q) made by a school district to replace revenues lost as a
20 result of the repeal of the local income tax for schools as
21 formerly imposed by the district under the Local Option School
22 District Income Tax Act.

23 "Aggregate extension" for all taxing districts to which
24 this Law applies in accordance with Section 18-213, except for
25 those taxing districts subject to paragraph (2) of subsection
26 (e) of Section 18-213, means the annual corporate extension for
27 the taxing district and those special purpose extensions that
28 are made annually for the taxing district, excluding special
29 purpose extensions: (a) made for the taxing district to pay
30 interest or principal on general obligation bonds that were
31 approved by referendum; (b) made for any taxing district to pay
32 interest or principal on general obligation bonds issued before
33 the date on which the referendum making this Law applicable to
34 the taxing district is held; (c) made for any taxing district
35 to pay interest or principal on bonds issued to refund or
36 continue to refund those bonds issued before the date on which

1 the referendum making this Law applicable to the taxing
2 district is held; (d) made for any taxing district to pay
3 interest or principal on bonds issued to refund or continue to
4 refund bonds issued after the date on which the referendum
5 making this Law applicable to the taxing district is held if
6 the bonds were approved by referendum after the date on which
7 the referendum making this Law applicable to the taxing
8 district is held; (e) made for any taxing district to pay
9 interest or principal on revenue bonds issued before the date
10 on which the referendum making this Law applicable to the
11 taxing district is held for payment of which a property tax
12 levy or the full faith and credit of the unit of local
13 government is pledged; however, a tax for the payment of
14 interest or principal on those bonds shall be made only after
15 the governing body of the unit of local government finds that
16 all other sources for payment are insufficient to make those
17 payments; (f) made for payments under a building commission
18 lease when the lease payments are for the retirement of bonds
19 issued by the commission before the date on which the
20 referendum making this Law applicable to the taxing district is
21 held to pay for the building project; (g) made for payments due
22 under installment contracts entered into before the date on
23 which the referendum making this Law applicable to the taxing
24 district is held; (h) made for payments of principal and
25 interest on limited bonds, as defined in Section 3 of the Local
26 Government Debt Reform Act, in an amount not to exceed the debt
27 service extension base less the amount in items (b), (c), and
28 (e) of this definition for non-referendum obligations, except
29 obligations initially issued pursuant to referendum; (i) made
30 for payments of principal and interest on bonds issued under
31 Section 15 of the Local Government Debt Reform Act; (j) made
32 for a qualified airport authority to pay interest or principal
33 on general obligation bonds issued for the purpose of paying
34 obligations due under, or financing airport facilities
35 required to be acquired, constructed, installed or equipped
36 pursuant to, contracts entered into before March 1, 1996 (but

1 not including any amendments to such a contract taking effect
2 on or after that date); (k) made to fund expenses of providing
3 joint recreational programs for the handicapped under Section
4 5-8 of the Park District Code or Section 11-95-14 of the
5 Illinois Municipal Code; ~~and~~ (l) made for contributions to a
6 firefighter's pension fund created under Article 4 of the
7 Illinois Pension Code, to the extent of the amount certified
8 under item (5) of Section 4-134 of the Illinois Pension Code;
9 and (m) made by a school district to replace revenues lost as a
10 result of the repeal of the local income tax for schools as
11 formerly imposed by the district under the Local Option School
12 District Income Tax Act.

13 "Aggregate extension" for all taxing districts to which
14 this Law applies in accordance with paragraph (2) of subsection
15 (e) of Section 18-213 means the annual corporate extension for
16 the taxing district and those special purpose extensions that
17 are made annually for the taxing district, excluding special
18 purpose extensions: (a) made for the taxing district to pay
19 interest or principal on general obligation bonds that were
20 approved by referendum; (b) made for any taxing district to pay
21 interest or principal on general obligation bonds issued before
22 the effective date of this amendatory Act of 1997; (c) made for
23 any taxing district to pay interest or principal on bonds
24 issued to refund or continue to refund those bonds issued
25 before the effective date of this amendatory Act of 1997; (d)
26 made for any taxing district to pay interest or principal on
27 bonds issued to refund or continue to refund bonds issued after
28 the effective date of this amendatory Act of 1997 if the bonds
29 were approved by referendum after the effective date of this
30 amendatory Act of 1997; (e) made for any taxing district to pay
31 interest or principal on revenue bonds issued before the
32 effective date of this amendatory Act of 1997 for payment of
33 which a property tax levy or the full faith and credit of the
34 unit of local government is pledged; however, a tax for the
35 payment of interest or principal on those bonds shall be made
36 only after the governing body of the unit of local government

1 finds that all other sources for payment are insufficient to
2 make those payments; (f) made for payments under a building
3 commission lease when the lease payments are for the retirement
4 of bonds issued by the commission before the effective date of
5 this amendatory Act of 1997 to pay for the building project;
6 (g) made for payments due under installment contracts entered
7 into before the effective date of this amendatory Act of 1997;
8 (h) made for payments of principal and interest on limited
9 bonds, as defined in Section 3 of the Local Government Debt
10 Reform Act, in an amount not to exceed the debt service
11 extension base less the amount in items (b), (c), and (e) of
12 this definition for non-referendum obligations, except
13 obligations initially issued pursuant to referendum; (i) made
14 for payments of principal and interest on bonds issued under
15 Section 15 of the Local Government Debt Reform Act; (j) made
16 for a qualified airport authority to pay interest or principal
17 on general obligation bonds issued for the purpose of paying
18 obligations due under, or financing airport facilities
19 required to be acquired, constructed, installed or equipped
20 pursuant to, contracts entered into before March 1, 1996 (but
21 not including any amendments to such a contract taking effect
22 on or after that date); (k) made to fund expenses of providing
23 joint recreational programs for the handicapped under Section
24 5-8 of the Park District Code or Section 11-95-14 of the
25 Illinois Municipal Code; ~~and~~ (l) made for contributions to a
26 firefighter's pension fund created under Article 4 of the
27 Illinois Pension Code, to the extent of the amount certified
28 under item (5) of Section 4-134 of the Illinois Pension Code;
29 and (m) made by a school district to replace revenues lost as a
30 result of the repeal of the local income tax for schools as
31 formerly imposed by the district under the Local Option School
32 District Income Tax Act.

33 "Debt service extension base" means an amount equal to that
34 portion of the extension for a taxing district for the 1994
35 levy year, or for those taxing districts subject to this Law in
36 accordance with Section 18-213, except for those subject to

1 paragraph (2) of subsection (e) of Section 18-213, for the levy
2 year in which the referendum making this Law applicable to the
3 taxing district is held, or for those taxing districts subject
4 to this Law in accordance with paragraph (2) of subsection (e)
5 of Section 18-213 for the 1996 levy year, constituting an
6 extension for payment of principal and interest on bonds issued
7 by the taxing district without referendum, but not including
8 excluded non-referendum bonds. For park districts (i) that were
9 first subject to this Law in 1991 or 1995 and (ii) whose
10 extension for the 1994 levy year for the payment of principal
11 and interest on bonds issued by the park district without
12 referendum (but not including excluded non-referendum bonds)
13 was less than 51% of the amount for the 1991 levy year
14 constituting an extension for payment of principal and interest
15 on bonds issued by the park district without referendum (but
16 not including excluded non-referendum bonds), "debt service
17 extension base" means an amount equal to that portion of the
18 extension for the 1991 levy year constituting an extension for
19 payment of principal and interest on bonds issued by the park
20 district without referendum (but not including excluded
21 non-referendum bonds). The debt service extension base may be
22 established or increased as provided under Section 18-212.
23 "Excluded non-referendum bonds" means (i) bonds authorized by
24 Public Act 88-503 and issued under Section 20a of the Chicago
25 Park District Act for aquarium and museum projects; (ii) bonds
26 issued under Section 15 of the Local Government Debt Reform
27 Act; or (iii) refunding obligations issued to refund or to
28 continue to refund obligations initially issued pursuant to
29 referendum.

30 "Special purpose extensions" include, but are not limited
31 to, extensions for levies made on an annual basis for
32 unemployment and workers' compensation, self-insurance,
33 contributions to pension plans, and extensions made pursuant to
34 Section 6-601 of the Illinois Highway Code for a road
35 district's permanent road fund whether levied annually or not.
36 The extension for a special service area is not included in the

1 aggregate extension.

2 "Aggregate extension base" means the taxing district's
3 last preceding aggregate extension as adjusted under Sections
4 18-215 through 18-230.

5 "Levy year" has the same meaning as "year" under Section
6 1-155.

7 "New property" means (i) the assessed value, after final
8 board of review or board of appeals action, of new improvements
9 or additions to existing improvements on any parcel of real
10 property that increase the assessed value of that real property
11 during the levy year multiplied by the equalization factor
12 issued by the Department under Section 17-30, (ii) the assessed
13 value, after final board of review or board of appeals action,
14 of real property not exempt from real estate taxation, which
15 real property was exempt from real estate taxation for any
16 portion of the immediately preceding levy year, multiplied by
17 the equalization factor issued by the Department under Section
18 17-30, and (iii) in counties that classify in accordance with
19 Section 4 of Article IX of the Illinois Constitution, an
20 incentive property's additional assessed value resulting from
21 a scheduled increase in the level of assessment as applied to
22 the first year final board of review market value. In addition,
23 the county clerk in a county containing a population of
24 3,000,000 or more shall include in the 1997 recovered tax
25 increment value for any school district, any recovered tax
26 increment value that was applicable to the 1995 tax year
27 calculations.

28 "Qualified airport authority" means an airport authority
29 organized under the Airport Authorities Act and located in a
30 county bordering on the State of Wisconsin and having a
31 population in excess of 200,000 and not greater than 500,000.

32 "Recovered tax increment value" means, except as otherwise
33 provided in this paragraph, the amount of the current year's
34 equalized assessed value, in the first year after a
35 municipality terminates the designation of an area as a
36 redevelopment project area previously established under the

1 Tax Increment Allocation Development Act in the Illinois
2 Municipal Code, previously established under the Industrial
3 Jobs Recovery Law in the Illinois Municipal Code, or previously
4 established under the Economic Development Area Tax Increment
5 Allocation Act, of each taxable lot, block, tract, or parcel of
6 real property in the redevelopment project area over and above
7 the initial equalized assessed value of each property in the
8 redevelopment project area. For the taxes which are extended
9 for the 1997 levy year, the recovered tax increment value for a
10 non-home rule taxing district that first became subject to this
11 Law for the 1995 levy year because a majority of its 1994
12 equalized assessed value was in an affected county or counties
13 shall be increased if a municipality terminated the designation
14 of an area in 1993 as a redevelopment project area previously
15 established under the Tax Increment Allocation Development Act
16 in the Illinois Municipal Code, previously established under
17 the Industrial Jobs Recovery Law in the Illinois Municipal
18 Code, or previously established under the Economic Development
19 Area Tax Increment Allocation Act, by an amount equal to the
20 1994 equalized assessed value of each taxable lot, block,
21 tract, or parcel of real property in the redevelopment project
22 area over and above the initial equalized assessed value of
23 each property in the redevelopment project area. In the first
24 year after a municipality removes a taxable lot, block, tract,
25 or parcel of real property from a redevelopment project area
26 established under the Tax Increment Allocation Development Act
27 in the Illinois Municipal Code, the Industrial Jobs Recovery
28 Law in the Illinois Municipal Code, or the Economic Development
29 Area Tax Increment Allocation Act, "recovered tax increment
30 value" means the amount of the current year's equalized
31 assessed value of each taxable lot, block, tract, or parcel of
32 real property removed from the redevelopment project area over
33 and above the initial equalized assessed value of that real
34 property before removal from the redevelopment project area.

35 Except as otherwise provided in this Section, "limiting
36 rate" means a fraction the numerator of which is the last

1 preceding aggregate extension base times an amount equal to one
2 plus the extension limitation defined in this Section and the
3 denominator of which is the current year's equalized assessed
4 value of all real property in the territory under the
5 jurisdiction of the taxing district during the prior levy year.
6 For those taxing districts that reduced their aggregate
7 extension for the last preceding levy year, the highest
8 aggregate extension in any of the last 3 preceding levy years
9 shall be used for the purpose of computing the limiting rate.
10 The denominator shall not include new property. The denominator
11 shall not include the recovered tax increment value.

12 (Source: P.A. 92-547, eff. 6-13-02; 93-601, eff. 1-1-04;
13 93-606, eff. 11-18-03; 93-612, eff. 11-18-03; 93-689, eff.
14 7-1-04; 93-690, eff. 7-1-04; 93-1049, eff. 11-17-04; revised
15 12-14-04.)

16 Section 115. The School Code is amended by changing Section
17 18-8.05 as follows:

18 (105 ILCS 5/18-8.05)

19 Sec. 18-8.05. Basis for apportionment of general State
20 financial aid and supplemental general State aid to the common
21 schools for the 1998-1999 and subsequent school years.

22 (A) General Provisions.

23 (1) The provisions of this Section apply to the 1998-1999
24 and subsequent school years. The system of general State
25 financial aid provided for in this Section is designed to
26 assure that, through a combination of State financial aid and
27 required local resources, the financial support provided each
28 pupil in Average Daily Attendance equals or exceeds a
29 prescribed per pupil Foundation Level. This formula approach
30 imputes a level of per pupil Available Local Resources and
31 provides for the basis to calculate a per pupil level of
32 general State financial aid that, when added to Available Local
33 Resources, equals or exceeds the Foundation Level. The amount

1 of per pupil general State financial aid for school districts,
2 in general, varies in inverse relation to Available Local
3 Resources. Per pupil amounts are based upon each school
4 district's Average Daily Attendance as that term is defined in
5 this Section.

6 (2) In addition to general State financial aid, school
7 districts with specified levels or concentrations of pupils
8 from low income households are eligible to receive supplemental
9 general State financial aid grants as provided pursuant to
10 subsection (H). The supplemental State aid grants provided for
11 school districts under subsection (H) shall be appropriated for
12 distribution to school districts as part of the same line item
13 in which the general State financial aid of school districts is
14 appropriated under this Section.

15 (3) To receive financial assistance under this Section,
16 school districts are required to file claims with the State
17 Board of Education, subject to the following requirements:

18 (a) Any school district which fails for any given
19 school year to maintain school as required by law, or to
20 maintain a recognized school is not eligible to file for
21 such school year any claim upon the Common School Fund. In
22 case of nonrecognition of one or more attendance centers in
23 a school district otherwise operating recognized schools,
24 the claim of the district shall be reduced in the
25 proportion which the Average Daily Attendance in the
26 attendance center or centers bear to the Average Daily
27 Attendance in the school district. A "recognized school"
28 means any public school which meets the standards as
29 established for recognition by the State Board of
30 Education. A school district or attendance center not
31 having recognition status at the end of a school term is
32 entitled to receive State aid payments due upon a legal
33 claim which was filed while it was recognized.

34 (b) School district claims filed under this Section are
35 subject to Sections 18-9, 18-10, and 18-12, except as
36 otherwise provided in this Section.

1 (c) If a school district operates a full year school
2 under Section 10-19.1, the general State aid to the school
3 district shall be determined by the State Board of
4 Education in accordance with this Section as near as may be
5 applicable.

6 (d) (Blank).

7 (4) Except as provided in subsections (H) and (L), the
8 board of any district receiving any of the grants provided for
9 in this Section may apply those funds to any fund so received
10 for which that board is authorized to make expenditures by law.

11 School districts are not required to exert a minimum
12 Operating Tax Rate in order to qualify for assistance under
13 this Section.

14 (5) As used in this Section the following terms, when
15 capitalized, shall have the meaning ascribed herein:

16 (a) "Average Daily Attendance": A count of pupil
17 attendance in school, averaged as provided for in
18 subsection (C) and utilized in deriving per pupil financial
19 support levels.

20 (b) "Available Local Resources": A computation of
21 local financial support, calculated on the basis of Average
22 Daily Attendance and derived as provided pursuant to
23 subsection (D).

24 (c) "Corporate Personal Property Replacement Taxes":
25 Funds paid to local school districts pursuant to "An Act in
26 relation to the abolition of ad valorem personal property
27 tax and the replacement of revenues lost thereby, and
28 amending and repealing certain Acts and parts of Acts in
29 connection therewith", certified August 14, 1979, as
30 amended (Public Act 81-1st S.S.-1).

31 (d) "Foundation Level": A prescribed level of per pupil
32 financial support as provided for in subsection (B).

33 (e) "Operating Tax Rate": All school district property
34 taxes extended for all purposes, except Bond and Interest,
35 Summer School, Rent, Capital Improvement, and Vocational
36 Education Building purposes.

1 (6) Notwithstanding any provision of the Local Option
2 School District Income Tax Act, the adoption or failure to
3 adopt a local income tax for schools and any disbursement of
4 funds or abatement in the extension of real property taxes
5 resulting from the adoption and imposition of a local income
6 tax for schools by one or more school districts under the Local
7 Option School District Income Tax Act shall not affect the
8 computation or distribution of State aid for any school
9 district, and all computations of State aid and all other
10 distributions of State funds to school districts shall proceed
11 without regard to changes in school funding provided in the
12 Local Option School District Income Tax Act.

13 (B) Foundation Level.

14 (1) The Foundation Level is a figure established by the
15 State representing the minimum level of per pupil financial
16 support that should be available to provide for the basic
17 education of each pupil in Average Daily Attendance. As set
18 forth in this Section, each school district is assumed to exert
19 a sufficient local taxing effort such that, in combination with
20 the aggregate of general State financial aid provided the
21 district, an aggregate of State and local resources are
22 available to meet the basic education needs of pupils in the
23 district.

24 (2) For the 1998-1999 school year, the Foundation Level of
25 support is \$4,225. For the 1999-2000 school year, the
26 Foundation Level of support is \$4,325. For the 2000-2001 school
27 year, the Foundation Level of support is \$4,425. For the
28 2001-2002 school year and 2002-2003 school year, the Foundation
29 Level of support is \$4,560. For the 2003-2004 school year, the
30 Foundation Level of support is \$4,810.

31 (3) For the 2004-2005 school year and each school year
32 thereafter, the Foundation Level of support is \$4,964 ~~\$5,060~~ or
33 such greater amount as may be established by law by the General
34 Assembly.

1 (C) Average Daily Attendance.

2 (1) For purposes of calculating general State aid pursuant
3 to subsection (E), an Average Daily Attendance figure shall be
4 utilized. The Average Daily Attendance figure for formula
5 calculation purposes shall be the monthly average of the actual
6 number of pupils in attendance of each school district, as
7 further averaged for the best 3 months of pupil attendance for
8 each school district. In compiling the figures for the number
9 of pupils in attendance, school districts and the State Board
10 of Education shall, for purposes of general State aid funding,
11 conform attendance figures to the requirements of subsection
12 (F).

13 (2) The Average Daily Attendance figures utilized in
14 subsection (E) shall be the requisite attendance data for the
15 school year immediately preceding the school year for which
16 general State aid is being calculated or the average of the
17 attendance data for the 3 preceding school years, whichever is
18 greater. The Average Daily Attendance figures utilized in
19 subsection (H) shall be the requisite attendance data for the
20 school year immediately preceding the school year for which
21 general State aid is being calculated.

22 (D) Available Local Resources.

23 (1) For purposes of calculating general State aid pursuant
24 to subsection (E), a representation of Available Local
25 Resources per pupil, as that term is defined and determined in
26 this subsection, shall be utilized. Available Local Resources
27 per pupil shall include a calculated dollar amount representing
28 local school district revenues from local property taxes and
29 from Corporate Personal Property Replacement Taxes, expressed
30 on the basis of pupils in Average Daily Attendance. Calculation
31 of Available Local Resources shall exclude any tax amnesty
32 funds received as a result of Public Act 93-26.

33 (2) In determining a school district's revenue from local
34 property taxes, the State Board of Education shall utilize the
35 equalized assessed valuation of all taxable property of each

1 school district as of September 30 of the previous year. The
2 equalized assessed valuation utilized shall be obtained and
3 determined as provided in subsection (G).

4 (3) For school districts maintaining grades kindergarten
5 through 12, local property tax revenues per pupil shall be
6 calculated as the product of the applicable equalized assessed
7 valuation for the district multiplied by 3.00%, and divided by
8 the district's Average Daily Attendance figure. For school
9 districts maintaining grades kindergarten through 8, local
10 property tax revenues per pupil shall be calculated as the
11 product of the applicable equalized assessed valuation for the
12 district multiplied by 2.30%, and divided by the district's
13 Average Daily Attendance figure. For school districts
14 maintaining grades 9 through 12, local property tax revenues
15 per pupil shall be the applicable equalized assessed valuation
16 of the district multiplied by 1.05%, and divided by the
17 district's Average Daily Attendance figure.

18 (4) The Corporate Personal Property Replacement Taxes paid
19 to each school district during the calendar year 2 years before
20 the calendar year in which a school year begins, divided by the
21 Average Daily Attendance figure for that district, shall be
22 added to the local property tax revenues per pupil as derived
23 by the application of the immediately preceding paragraph (3).
24 The sum of these per pupil figures for each school district
25 shall constitute Available Local Resources as that term is
26 utilized in subsection (E) in the calculation of general State
27 aid.

28 (E) Computation of General State Aid.

29 (1) For each school year, the amount of general State aid
30 allotted to a school district shall be computed by the State
31 Board of Education as provided in this subsection.

32 (2) For any school district for which Available Local
33 Resources per pupil is less than the product of 0.93 times the
34 Foundation Level, general State aid for that district shall be
35 calculated as an amount equal to the Foundation Level minus

1 Available Local Resources, multiplied by the Average Daily
2 Attendance of the school district.

3 (3) For any school district for which Available Local
4 Resources per pupil is equal to or greater than the product of
5 0.93 times the Foundation Level and less than the product of
6 1.75 times the Foundation Level, the general State aid per
7 pupil shall be a decimal proportion of the Foundation Level
8 derived using a linear algorithm. Under this linear algorithm,
9 the calculated general State aid per pupil shall decline in
10 direct linear fashion from 0.07 times the Foundation Level for
11 a school district with Available Local Resources equal to the
12 product of 0.93 times the Foundation Level, to 0.05 times the
13 Foundation Level for a school district with Available Local
14 Resources equal to the product of 1.75 times the Foundation
15 Level. The allocation of general State aid for school districts
16 subject to this paragraph 3 shall be the calculated general
17 State aid per pupil figure multiplied by the Average Daily
18 Attendance of the school district.

19 (4) For any school district for which Available Local
20 Resources per pupil equals or exceeds the product of 1.75 times
21 the Foundation Level, the general State aid for the school
22 district shall be calculated as the product of \$218 multiplied
23 by the Average Daily Attendance of the school district.

24 (5) The amount of general State aid allocated to a school
25 district for the 1999-2000 school year meeting the requirements
26 set forth in paragraph (4) of subsection (G) shall be increased
27 by an amount equal to the general State aid that would have
28 been received by the district for the 1998-1999 school year by
29 utilizing the Extension Limitation Equalized Assessed
30 Valuation as calculated in paragraph (4) of subsection (G) less
31 the general State aid allotted for the 1998-1999 school year.
32 This amount shall be deemed a one time increase, and shall not
33 affect any future general State aid allocations.

34 (F) Compilation of Average Daily Attendance.

35 (1) Each school district shall, by July 1 of each year,

1 submit to the State Board of Education, on forms prescribed by
2 the State Board of Education, attendance figures for the school
3 year that began in the preceding calendar year. The attendance
4 information so transmitted shall identify the average daily
5 attendance figures for each month of the school year. Beginning
6 with the general State aid claim form for the 2002-2003 school
7 year, districts shall calculate Average Daily Attendance as
8 provided in subdivisions (a), (b), and (c) of this paragraph
9 (1).

10 (a) In districts that do not hold year-round classes,
11 days of attendance in August shall be added to the month of
12 September and any days of attendance in June shall be added
13 to the month of May.

14 (b) In districts in which all buildings hold year-round
15 classes, days of attendance in July and August shall be
16 added to the month of September and any days of attendance
17 in June shall be added to the month of May.

18 (c) In districts in which some buildings, but not all,
19 hold year-round classes, for the non-year-round buildings,
20 days of attendance in August shall be added to the month of
21 September and any days of attendance in June shall be added
22 to the month of May. The average daily attendance for the
23 year-round buildings shall be computed as provided in
24 subdivision (b) of this paragraph (1). To calculate the
25 Average Daily Attendance for the district, the average
26 daily attendance for the year-round buildings shall be
27 multiplied by the days in session for the non-year-round
28 buildings for each month and added to the monthly
29 attendance of the non-year-round buildings.

30 Except as otherwise provided in this Section, days of
31 attendance by pupils shall be counted only for sessions of not
32 less than 5 clock hours of school work per day under direct
33 supervision of: (i) teachers, or (ii) non-teaching personnel or
34 volunteer personnel when engaging in non-teaching duties and
35 supervising in those instances specified in subsection (a) of
36 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils

1 of legal school age and in kindergarten and grades 1 through
2 12.

3 Days of attendance by tuition pupils shall be accredited
4 only to the districts that pay the tuition to a recognized
5 school.

6 (2) Days of attendance by pupils of less than 5 clock hours
7 of school shall be subject to the following provisions in the
8 compilation of Average Daily Attendance.

9 (a) Pupils regularly enrolled in a public school for
10 only a part of the school day may be counted on the basis
11 of 1/6 day for every class hour of instruction of 40
12 minutes or more attended pursuant to such enrollment,
13 unless a pupil is enrolled in a block-schedule format of 80
14 minutes or more of instruction, in which case the pupil may
15 be counted on the basis of the proportion of minutes of
16 school work completed each day to the minimum number of
17 minutes that school work is required to be held that day.

18 (b) Days of attendance may be less than 5 clock hours
19 on the opening and closing of the school term, and upon the
20 first day of pupil attendance, if preceded by a day or days
21 utilized as an institute or teachers' workshop.

22 (c) A session of 4 or more clock hours may be counted
23 as a day of attendance upon certification by the regional
24 superintendent, and approved by the State Superintendent
25 of Education to the extent that the district has been
26 forced to use daily multiple sessions.

27 (d) A session of 3 or more clock hours may be counted
28 as a day of attendance (1) when the remainder of the school
29 day or at least 2 hours in the evening of that day is
30 utilized for an in-service training program for teachers,
31 up to a maximum of 5 days per school year of which a
32 maximum of 4 days of such 5 days may be used for
33 parent-teacher conferences, provided a district conducts
34 an in-service training program for teachers which has been
35 approved by the State Superintendent of Education; or, in
36 lieu of 4 such days, 2 full days may be used, in which

1 event each such day may be counted as a day of attendance;
2 and (2) when days in addition to those provided in item (1)
3 are scheduled by a school pursuant to its school
4 improvement plan adopted under Article 34 or its revised or
5 amended school improvement plan adopted under Article 2,
6 provided that (i) such sessions of 3 or more clock hours
7 are scheduled to occur at regular intervals, (ii) the
8 remainder of the school days in which such sessions occur
9 are utilized for in-service training programs or other
10 staff development activities for teachers, and (iii) a
11 sufficient number of minutes of school work under the
12 direct supervision of teachers are added to the school days
13 between such regularly scheduled sessions to accumulate
14 not less than the number of minutes by which such sessions
15 of 3 or more clock hours fall short of 5 clock hours. Any
16 full days used for the purposes of this paragraph shall not
17 be considered for computing average daily attendance. Days
18 scheduled for in-service training programs, staff
19 development activities, or parent-teacher conferences may
20 be scheduled separately for different grade levels and
21 different attendance centers of the district.

22 (e) A session of not less than one clock hour of
23 teaching hospitalized or homebound pupils on-site or by
24 telephone to the classroom may be counted as 1/2 day of
25 attendance, however these pupils must receive 4 or more
26 clock hours of instruction to be counted for a full day of
27 attendance.

28 (f) A session of at least 4 clock hours may be counted
29 as a day of attendance for first grade pupils, and pupils
30 in full day kindergartens, and a session of 2 or more hours
31 may be counted as 1/2 day of attendance by pupils in
32 kindergartens which provide only 1/2 day of attendance.

33 (g) For children with disabilities who are below the
34 age of 6 years and who cannot attend 2 or more clock hours
35 because of their disability or immaturity, a session of not
36 less than one clock hour may be counted as 1/2 day of

1 attendance; however for such children whose educational
2 needs so require a session of 4 or more clock hours may be
3 counted as a full day of attendance.

4 (h) A recognized kindergarten which provides for only
5 1/2 day of attendance by each pupil shall not have more
6 than 1/2 day of attendance counted in any one day. However,
7 kindergartens may count 2 1/2 days of attendance in any 5
8 consecutive school days. When a pupil attends such a
9 kindergarten for 2 half days on any one school day, the
10 pupil shall have the following day as a day absent from
11 school, unless the school district obtains permission in
12 writing from the State Superintendent of Education.
13 Attendance at kindergartens which provide for a full day of
14 attendance by each pupil shall be counted the same as
15 attendance by first grade pupils. Only the first year of
16 attendance in one kindergarten shall be counted, except in
17 case of children who entered the kindergarten in their
18 fifth year whose educational development requires a second
19 year of kindergarten as determined under the rules and
20 regulations of the State Board of Education.

21 (G) Equalized Assessed Valuation Data.

22 (1) For purposes of the calculation of Available Local
23 Resources required pursuant to subsection (D), the State Board
24 of Education shall secure from the Department of Revenue the
25 value as equalized or assessed by the Department of Revenue of
26 all taxable property of every school district, together with
27 (i) the applicable tax rate used in extending taxes for the
28 funds of the district as of September 30 of the previous year
29 and (ii) the limiting rate for all school districts subject to
30 property tax extension limitations as imposed under the
31 Property Tax Extension Limitation Law.

32 The Department of Revenue shall add to the equalized
33 assessed value of all taxable property of each school district
34 situated entirely or partially within a county that is or was
35 subject to the alternative general homestead exemption

1 provisions of Section 15-176 of the Property Tax Code (a) ~~(i)~~
2 an amount equal to the total amount by which the homestead
3 exemption allowed under Section 15-176 of the Property Tax Code
4 for real property situated in that school district exceeds the
5 total amount that would have been allowed in that school
6 district if the maximum reduction under Section 15-176 was (i)
7 \$4,500 in Cook County or \$3,500 in all other counties in tax
8 year 2003 or (ii) \$5,000 in all counties in tax year 2004 and
9 thereafter and (b) ~~(i)~~ an amount equal to the aggregate amount
10 for the taxable year of all additional exemptions under Section
11 15-175 of the Property Tax Code for owners with a household
12 income of \$30,000 or less. The county clerk of any county that
13 is or was subject to the alternative general homestead
14 exemption provisions of Section 15-176 of the Property Tax Code
15 shall annually calculate and certify to the Department of
16 Revenue for each school district all homestead exemption
17 amounts under Section 15-176 of the Property Tax Code and all
18 amounts of additional exemptions under Section 15-175 of the
19 Property Tax Code for owners with a household income of \$30,000
20 or less. It is the intent of this paragraph that if the general
21 homestead exemption for a parcel of property is determined
22 under Section 15-176 of the Property Tax Code rather than
23 Section 15-175, then the calculation of Available Local
24 Resources shall not be affected by the difference, if any,
25 between the amount of the general homestead exemption allowed
26 for that parcel of property under Section 15-176 of the
27 Property Tax Code and the amount that would have been allowed
28 had the general homestead exemption for that parcel of property
29 been determined under Section 15-175 of the Property Tax Code.
30 It is further the intent of this paragraph that if additional
31 exemptions are allowed under Section 15-175 of the Property Tax
32 Code for owners with a household income of less than \$30,000,
33 then the calculation of Available Local Resources shall not be
34 affected by the difference, if any, because of those additional
35 exemptions.

36 This equalized assessed valuation, as adjusted further by

1 the requirements of this subsection, shall be utilized in the
2 calculation of Available Local Resources.

3 (2) The equalized assessed valuation in paragraph (1) shall
4 be adjusted, as applicable, in the following manner:

5 (a) For the purposes of calculating State aid under
6 this Section, with respect to any part of a school district
7 within a redevelopment project area in respect to which a
8 municipality has adopted tax increment allocation
9 financing pursuant to the Tax Increment Allocation
10 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
11 of the Illinois Municipal Code or the Industrial Jobs
12 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
13 Illinois Municipal Code, no part of the current equalized
14 assessed valuation of real property located in any such
15 project area which is attributable to an increase above the
16 total initial equalized assessed valuation of such
17 property shall be used as part of the equalized assessed
18 valuation of the district, until such time as all
19 redevelopment project costs have been paid, as provided in
20 Section 11-74.4-8 of the Tax Increment Allocation
21 Redevelopment Act or in Section 11-74.6-35 of the
22 Industrial Jobs Recovery Law. For the purpose of the
23 equalized assessed valuation of the district, the total
24 initial equalized assessed valuation or the current
25 equalized assessed valuation, whichever is lower, shall be
26 used until such time as all redevelopment project costs
27 have been paid.

28 (b) The real property equalized assessed valuation for
29 a school district shall be adjusted by subtracting from the
30 real property value as equalized or assessed by the
31 Department of Revenue for the district an amount computed
32 by dividing the amount of any abatement of taxes under
33 Section 18-170 of the Property Tax Code by 3.00% for a
34 district maintaining grades kindergarten through 12, by
35 2.30% for a district maintaining grades kindergarten
36 through 8, or by 1.05% for a district maintaining grades 9

1 through 12 and adjusted by an amount computed by dividing
2 the amount of any abatement of taxes under subsection (a)
3 of Section 18-165 of the Property Tax Code by the same
4 percentage rates for district type as specified in this
5 subparagraph (b).

6 (3) For the 1999-2000 school year and each school year
7 thereafter, if a school district meets all of the criteria of
8 this subsection (G) (3), the school district's Available Local
9 Resources shall be calculated under subsection (D) using the
10 district's Extension Limitation Equalized Assessed Valuation
11 as calculated under this subsection (G) (3).

12 For purposes of this subsection (G) (3) the following terms
13 shall have the following meanings:

14 "Budget Year": The school year for which general State
15 aid is calculated and awarded under subsection (E).

16 "Base Tax Year": The property tax levy year used to
17 calculate the Budget Year allocation of general State aid.

18 "Preceding Tax Year": The property tax levy year
19 immediately preceding the Base Tax Year.

20 "Base Tax Year's Tax Extension": The product of the
21 equalized assessed valuation utilized by the County Clerk
22 in the Base Tax Year multiplied by the limiting rate as
23 calculated by the County Clerk and defined in the Property
24 Tax Extension Limitation Law.

25 "Preceding Tax Year's Tax Extension": The product of
26 the equalized assessed valuation utilized by the County
27 Clerk in the Preceding Tax Year multiplied by the Operating
28 Tax Rate as defined in subsection (A).

29 "Extension Limitation Ratio": A numerical ratio,
30 certified by the County Clerk, in which the numerator is
31 the Base Tax Year's Tax Extension and the denominator is
32 the Preceding Tax Year's Tax Extension.

33 "Operating Tax Rate": The operating tax rate as defined
34 in subsection (A).

35 If a school district is subject to property tax extension
36 limitations as imposed under the Property Tax Extension

1 Limitation Law, the State Board of Education shall calculate
2 the Extension Limitation Equalized Assessed Valuation of that
3 district. For the 1999-2000 school year, the Extension
4 Limitation Equalized Assessed Valuation of a school district as
5 calculated by the State Board of Education shall be equal to
6 the product of the district's 1996 Equalized Assessed Valuation
7 and the district's Extension Limitation Ratio. For the
8 2000-2001 school year and each school year thereafter, the
9 Extension Limitation Equalized Assessed Valuation of a school
10 district as calculated by the State Board of Education shall be
11 equal to the product of the Equalized Assessed Valuation last
12 used in the calculation of general State aid and the district's
13 Extension Limitation Ratio. If the Extension Limitation
14 Equalized Assessed Valuation of a school district as calculated
15 under this subsection (G)(3) is less than the district's
16 equalized assessed valuation as calculated pursuant to
17 subsections (G)(1) and (G)(2), then for purposes of calculating
18 the district's general State aid for the Budget Year pursuant
19 to subsection (E), that Extension Limitation Equalized
20 Assessed Valuation shall be utilized to calculate the
21 district's Available Local Resources under subsection (D).

22 (4) For the purposes of calculating general State aid for
23 the 1999-2000 school year only, if a school district
24 experienced a triennial reassessment on the equalized assessed
25 valuation used in calculating its general State financial aid
26 apportionment for the 1998-1999 school year, the State Board of
27 Education shall calculate the Extension Limitation Equalized
28 Assessed Valuation that would have been used to calculate the
29 district's 1998-1999 general State aid. This amount shall equal
30 the product of the equalized assessed valuation used to
31 calculate general State aid for the 1997-1998 school year and
32 the district's Extension Limitation Ratio. If the Extension
33 Limitation Equalized Assessed Valuation of the school district
34 as calculated under this paragraph (4) is less than the
35 district's equalized assessed valuation utilized in
36 calculating the district's 1998-1999 general State aid

1 allocation, then for purposes of calculating the district's
2 general State aid pursuant to paragraph (5) of subsection (E),
3 that Extension Limitation Equalized Assessed Valuation shall
4 be utilized to calculate the district's Available Local
5 Resources.

6 (5) For school districts having a majority of their
7 equalized assessed valuation in any county except Cook, DuPage,
8 Kane, Lake, McHenry, or Will, if the amount of general State
9 aid allocated to the school district for the 1999-2000 school
10 year under the provisions of subsection (E), (H), and (J) of
11 this Section is less than the amount of general State aid
12 allocated to the district for the 1998-1999 school year under
13 these subsections, then the general State aid of the district
14 for the 1999-2000 school year only shall be increased by the
15 difference between these amounts. The total payments made under
16 this paragraph (5) shall not exceed \$14,000,000. Claims shall
17 be prorated if they exceed \$14,000,000.

18 (H) Supplemental General State Aid.

19 (1) In addition to the general State aid a school district
20 is allotted pursuant to subsection (E), qualifying school
21 districts shall receive a grant, paid in conjunction with a
22 district's payments of general State aid, for supplemental
23 general State aid based upon the concentration level of
24 children from low-income households within the school
25 district. Supplemental State aid grants provided for school
26 districts under this subsection shall be appropriated for
27 distribution to school districts as part of the same line item
28 in which the general State financial aid of school districts is
29 appropriated under this Section. If the appropriation in any
30 fiscal year for general State aid and supplemental general
31 State aid is insufficient to pay the amounts required under the
32 general State aid and supplemental general State aid
33 calculations, then the State Board of Education shall ensure
34 that each school district receives the full amount due for
35 general State aid and the remainder of the appropriation shall

1 be used for supplemental general State aid, which the State
2 Board of Education shall calculate and pay to eligible
3 districts on a prorated basis.

4 (1.5) This paragraph (1.5) applies only to those school
5 years preceding the 2003-2004 school year. For purposes of this
6 subsection (H), the term "Low-Income Concentration Level"
7 shall be the low-income eligible pupil count from the most
8 recently available federal census divided by the Average Daily
9 Attendance of the school district. If, however, (i) the
10 percentage decrease from the 2 most recent federal censuses in
11 the low-income eligible pupil count of a high school district
12 with fewer than 400 students exceeds by 75% or more the
13 percentage change in the total low-income eligible pupil count
14 of contiguous elementary school districts, whose boundaries
15 are coterminous with the high school district, or (ii) a high
16 school district within 2 counties and serving 5 elementary
17 school districts, whose boundaries are coterminous with the
18 high school district, has a percentage decrease from the 2 most
19 recent federal censuses in the low-income eligible pupil count
20 and there is a percentage increase in the total low-income
21 eligible pupil count of a majority of the elementary school
22 districts in excess of 50% from the 2 most recent federal
23 censuses, then the high school district's low-income eligible
24 pupil count from the earlier federal census shall be the number
25 used as the low-income eligible pupil count for the high school
26 district, for purposes of this subsection (H). The changes made
27 to this paragraph (1) by Public Act 92-28 shall apply to
28 supplemental general State aid grants for school years
29 preceding the 2003-2004 school year that are paid in fiscal
30 year 1999 or thereafter and to any State aid payments made in
31 fiscal year 1994 through fiscal year 1998 pursuant to
32 subsection 1(n) of Section 18-8 of this Code (which was
33 repealed on July 1, 1998), and any high school district that is
34 affected by Public Act 92-28 is entitled to a recomputation of
35 its supplemental general State aid grant or State aid paid in
36 any of those fiscal years. This recomputation shall not be

1 affected by any other funding.

2 (1.10) This paragraph (1.10) applies to the 2003-2004
3 school year and each school year thereafter. For purposes of
4 this subsection (H), the term "Low-Income Concentration Level"
5 shall, for each fiscal year, be the low-income eligible pupil
6 count as of July 1 of the immediately preceding fiscal year (as
7 determined by the Department of Human Services based on the
8 number of pupils who are eligible for at least one of the
9 following low income programs: Medicaid, KidCare, TANF, or Food
10 Stamps, excluding pupils who are eligible for services provided
11 by the Department of Children and Family Services, averaged
12 over the 2 immediately preceding fiscal years for fiscal year
13 2004 and over the 3 immediately preceding fiscal years for each
14 fiscal year thereafter) divided by the Average Daily Attendance
15 of the school district.

16 (2) Supplemental general State aid pursuant to this
17 subsection (H) shall be provided as follows for the 1998-1999,
18 1999-2000, and 2000-2001 school years only:

19 (a) For any school district with a Low Income
20 Concentration Level of at least 20% and less than 35%, the
21 grant for any school year shall be \$800 multiplied by the
22 low income eligible pupil count.

23 (b) For any school district with a Low Income
24 Concentration Level of at least 35% and less than 50%, the
25 grant for the 1998-1999 school year shall be \$1,100
26 multiplied by the low income eligible pupil count.

27 (c) For any school district with a Low Income
28 Concentration Level of at least 50% and less than 60%, the
29 grant for the 1998-99 school year shall be \$1,500
30 multiplied by the low income eligible pupil count.

31 (d) For any school district with a Low Income
32 Concentration Level of 60% or more, the grant for the
33 1998-99 school year shall be \$1,900 multiplied by the low
34 income eligible pupil count.

35 (e) For the 1999-2000 school year, the per pupil amount
36 specified in subparagraphs (b), (c), and (d) immediately

1 above shall be increased to \$1,243, \$1,600, and \$2,000,
2 respectively.

3 (f) For the 2000-2001 school year, the per pupil
4 amounts specified in subparagraphs (b), (c), and (d)
5 immediately above shall be \$1,273, \$1,640, and \$2,050,
6 respectively.

7 (2.5) Supplemental general State aid pursuant to this
8 subsection (H) shall be provided as follows for the 2002-2003
9 school year:

10 (a) For any school district with a Low Income
11 Concentration Level of less than 10%, the grant for each
12 school year shall be \$355 multiplied by the low income
13 eligible pupil count.

14 (b) For any school district with a Low Income
15 Concentration Level of at least 10% and less than 20%, the
16 grant for each school year shall be \$675 multiplied by the
17 low income eligible pupil count.

18 (c) For any school district with a Low Income
19 Concentration Level of at least 20% and less than 35%, the
20 grant for each school year shall be \$1,330 multiplied by
21 the low income eligible pupil count.

22 (d) For any school district with a Low Income
23 Concentration Level of at least 35% and less than 50%, the
24 grant for each school year shall be \$1,362 multiplied by
25 the low income eligible pupil count.

26 (e) For any school district with a Low Income
27 Concentration Level of at least 50% and less than 60%, the
28 grant for each school year shall be \$1,680 multiplied by
29 the low income eligible pupil count.

30 (f) For any school district with a Low Income
31 Concentration Level of 60% or more, the grant for each
32 school year shall be \$2,080 multiplied by the low income
33 eligible pupil count.

34 (2.10) Except as otherwise provided, supplemental general
35 State aid pursuant to this subsection (H) shall be provided as
36 follows for the 2003-2004 school year and each school year

1 thereafter:

2 (a) For any school district with a Low Income
3 Concentration Level of 15% or less, the grant for each
4 school year shall be \$355 multiplied by the low income
5 eligible pupil count.

6 (b) For any school district with a Low Income
7 Concentration Level greater than 15%, the grant for each
8 school year shall be \$294.25 added to the product of \$2,700
9 and the square of the Low Income Concentration Level, all
10 multiplied by the low income eligible pupil count.

11 For the 2003-2004 and 2004-2005 school year only, the grant
12 shall be no less than the grant for the 2002-2003 school year.
13 For the 2005-2006 school year only, the grant shall be no less
14 than the grant for the 2002-2003 school year multiplied by
15 0.66. For the 2006-2007 school year only, the grant shall be no
16 less than the grant for the 2002-2003 school year multiplied by
17 0.33.

18 For the 2003-2004 school year only, the grant shall be no
19 greater than the grant received during the 2002-2003 school
20 year added to the product of 0.25 multiplied by the difference
21 between the grant amount calculated under subsection (a) or (b)
22 of this paragraph (2.10), whichever is applicable, and the
23 grant received during the 2002-2003 school year. For the
24 2004-2005 school year only, the grant shall be no greater than
25 the grant received during the 2002-2003 school year added to
26 the product of 0.50 multiplied by the difference between the
27 grant amount calculated under subsection (a) or (b) of this
28 paragraph (2.10), whichever is applicable, and the grant
29 received during the 2002-2003 school year. For the 2005-2006
30 school year only, the grant shall be no greater than the grant
31 received during the 2002-2003 school year added to the product
32 of 0.75 multiplied by the difference between the grant amount
33 calculated under subsection (a) or (b) of this paragraph
34 (2.10), whichever is applicable, and the grant received during
35 the 2002-2003 school year.

36 (3) School districts with an Average Daily Attendance of

1 more than 1,000 and less than 50,000 that qualify for
2 supplemental general State aid pursuant to this subsection
3 shall submit a plan to the State Board of Education prior to
4 October 30 of each year for the use of the funds resulting from
5 this grant of supplemental general State aid for the
6 improvement of instruction in which priority is given to
7 meeting the education needs of disadvantaged children. Such
8 plan shall be submitted in accordance with rules and
9 regulations promulgated by the State Board of Education.

10 (4) School districts with an Average Daily Attendance of
11 50,000 or more that qualify for supplemental general State aid
12 pursuant to this subsection shall be required to distribute
13 from funds available pursuant to this Section, no less than
14 \$261,000,000 in accordance with the following requirements:

15 (a) The required amounts shall be distributed to the
16 attendance centers within the district in proportion to the
17 number of pupils enrolled at each attendance center who are
18 eligible to receive free or reduced-price lunches or
19 breakfasts under the federal Child Nutrition Act of 1966
20 and under the National School Lunch Act during the
21 immediately preceding school year.

22 (b) The distribution of these portions of supplemental
23 and general State aid among attendance centers according to
24 these requirements shall not be compensated for or
25 contravened by adjustments of the total of other funds
26 appropriated to any attendance centers, and the Board of
27 Education shall utilize funding from one or several sources
28 in order to fully implement this provision annually prior
29 to the opening of school.

30 (c) Each attendance center shall be provided by the
31 school district a distribution of noncategorical funds and
32 other categorical funds to which an attendance center is
33 entitled under law in order that the general State aid and
34 supplemental general State aid provided by application of
35 this subsection supplements rather than supplants the
36 noncategorical funds and other categorical funds provided

1 by the school district to the attendance centers.

2 (d) Any funds made available under this subsection that
3 by reason of the provisions of this subsection are not
4 required to be allocated and provided to attendance centers
5 may be used and appropriated by the board of the district
6 for any lawful school purpose.

7 (e) Funds received by an attendance center pursuant to
8 this subsection shall be used by the attendance center at
9 the discretion of the principal and local school council
10 for programs to improve educational opportunities at
11 qualifying schools through the following programs and
12 services: early childhood education, reduced class size or
13 improved adult to student classroom ratio, enrichment
14 programs, remedial assistance, attendance improvement, and
15 other educationally beneficial expenditures which
16 supplement the regular and basic programs as determined by
17 the State Board of Education. Funds provided shall not be
18 expended for any political or lobbying purposes as defined
19 by board rule.

20 (f) Each district subject to the provisions of this
21 subdivision (H) (4) shall submit an acceptable plan to meet
22 the educational needs of disadvantaged children, in
23 compliance with the requirements of this paragraph, to the
24 State Board of Education prior to July 15 of each year.
25 This plan shall be consistent with the decisions of local
26 school councils concerning the school expenditure plans
27 developed in accordance with part 4 of Section 34-2.3. The
28 State Board shall approve or reject the plan within 60 days
29 after its submission. If the plan is rejected, the district
30 shall give written notice of intent to modify the plan
31 within 15 days of the notification of rejection and then
32 submit a modified plan within 30 days after the date of the
33 written notice of intent to modify. Districts may amend
34 approved plans pursuant to rules promulgated by the State
35 Board of Education.

36 Upon notification by the State Board of Education that

1 the district has not submitted a plan prior to July 15 or a
2 modified plan within the time period specified herein, the
3 State aid funds affected by that plan or modified plan
4 shall be withheld by the State Board of Education until a
5 plan or modified plan is submitted.

6 If the district fails to distribute State aid to
7 attendance centers in accordance with an approved plan, the
8 plan for the following year shall allocate funds, in
9 addition to the funds otherwise required by this
10 subsection, to those attendance centers which were
11 underfunded during the previous year in amounts equal to
12 such underfunding.

13 For purposes of determining compliance with this
14 subsection in relation to the requirements of attendance
15 center funding, each district subject to the provisions of
16 this subsection shall submit as a separate document by
17 December 1 of each year a report of expenditure data for
18 the prior year in addition to any modification of its
19 current plan. If it is determined that there has been a
20 failure to comply with the expenditure provisions of this
21 subsection regarding contravention or supplanting, the
22 State Superintendent of Education shall, within 60 days of
23 receipt of the report, notify the district and any affected
24 local school council. The district shall within 45 days of
25 receipt of that notification inform the State
26 Superintendent of Education of the remedial or corrective
27 action to be taken, whether by amendment of the current
28 plan, if feasible, or by adjustment in the plan for the
29 following year. Failure to provide the expenditure report
30 or the notification of remedial or corrective action in a
31 timely manner shall result in a withholding of the affected
32 funds.

33 The State Board of Education shall promulgate rules and
34 regulations to implement the provisions of this
35 subsection. No funds shall be released under this
36 subdivision (H) (4) to any district that has not submitted a

1 plan that has been approved by the State Board of
2 Education.

3 (I) General State Aid for Newly Configured School Districts.

4 (1) For a new school district formed by combining property
5 included totally within 2 or more previously existing school
6 districts, for its first year of existence the general State
7 aid and supplemental general State aid calculated under this
8 Section shall be computed for the new district and for the
9 previously existing districts for which property is totally
10 included within the new district. If the computation on the
11 basis of the previously existing districts is greater, a
12 supplementary payment equal to the difference shall be made for
13 the first 4 years of existence of the new district.

14 (2) For a school district which annexes all of the
15 territory of one or more entire other school districts, for the
16 first year during which the change of boundaries attributable
17 to such annexation becomes effective for all purposes as
18 determined under Section 7-9 or 7A-8, the general State aid and
19 supplemental general State aid calculated under this Section
20 shall be computed for the annexing district as constituted
21 after the annexation and for the annexing and each annexed
22 district as constituted prior to the annexation; and if the
23 computation on the basis of the annexing and annexed districts
24 as constituted prior to the annexation is greater, a
25 supplementary payment equal to the difference shall be made for
26 the first 4 years of existence of the annexing school district
27 as constituted upon such annexation.

28 (3) For 2 or more school districts which annex all of the
29 territory of one or more entire other school districts, and for
30 2 or more community unit districts which result upon the
31 division (pursuant to petition under Section 11A-2) of one or
32 more other unit school districts into 2 or more parts and which
33 together include all of the parts into which such other unit
34 school district or districts are so divided, for the first year
35 during which the change of boundaries attributable to such

1 annexation or division becomes effective for all purposes as
2 determined under Section 7-9 or 11A-10, as the case may be, the
3 general State aid and supplemental general State aid calculated
4 under this Section shall be computed for each annexing or
5 resulting district as constituted after the annexation or
6 division and for each annexing and annexed district, or for
7 each resulting and divided district, as constituted prior to
8 the annexation or division; and if the aggregate of the general
9 State aid and supplemental general State aid as so computed for
10 the annexing or resulting districts as constituted after the
11 annexation or division is less than the aggregate of the
12 general State aid and supplemental general State aid as so
13 computed for the annexing and annexed districts, or for the
14 resulting and divided districts, as constituted prior to the
15 annexation or division, then a supplementary payment equal to
16 the difference shall be made and allocated between or among the
17 annexing or resulting districts, as constituted upon such
18 annexation or division, for the first 4 years of their
19 existence. The total difference payment shall be allocated
20 between or among the annexing or resulting districts in the
21 same ratio as the pupil enrollment from that portion of the
22 annexed or divided district or districts which is annexed to or
23 included in each such annexing or resulting district bears to
24 the total pupil enrollment from the entire annexed or divided
25 district or districts, as such pupil enrollment is determined
26 for the school year last ending prior to the date when the
27 change of boundaries attributable to the annexation or division
28 becomes effective for all purposes. The amount of the total
29 difference payment and the amount thereof to be allocated to
30 the annexing or resulting districts shall be computed by the
31 State Board of Education on the basis of pupil enrollment and
32 other data which shall be certified to the State Board of
33 Education, on forms which it shall provide for that purpose, by
34 the regional superintendent of schools for each educational
35 service region in which the annexing and annexed districts, or
36 resulting and divided districts are located.

1 (3.5) Claims for financial assistance under this
2 subsection (I) shall not be recomputed except as expressly
3 provided under this Section.

4 (4) Any supplementary payment made under this subsection
5 (I) shall be treated as separate from all other payments made
6 pursuant to this Section.

7 (J) Supplementary Grants in Aid.

8 (1) Notwithstanding any other provisions of this Section,
9 the amount of the aggregate general State aid in combination
10 with supplemental general State aid under this Section for
11 which each school district is eligible shall be no less than
12 the amount of the aggregate general State aid entitlement that
13 was received by the district under Section 18-8 (exclusive of
14 amounts received under subsections 5(p) and 5(p-5) of that
15 Section) for the 1997-98 school year, pursuant to the
16 provisions of that Section as it was then in effect. If a
17 school district qualifies to receive a supplementary payment
18 made under this subsection (J), the amount of the aggregate
19 general State aid in combination with supplemental general
20 State aid under this Section which that district is eligible to
21 receive for each school year shall be no less than the amount
22 of the aggregate general State aid entitlement that was
23 received by the district under Section 18-8 (exclusive of
24 amounts received under subsections 5(p) and 5(p-5) of that
25 Section) for the 1997-1998 school year, pursuant to the
26 provisions of that Section as it was then in effect.

27 (2) If, as provided in paragraph (1) of this subsection
28 (J), a school district is to receive aggregate general State
29 aid in combination with supplemental general State aid under
30 this Section for the 1998-99 school year and any subsequent
31 school year that in any such school year is less than the
32 amount of the aggregate general State aid entitlement that the
33 district received for the 1997-98 school year, the school
34 district shall also receive, from a separate appropriation made
35 for purposes of this subsection (J), a supplementary payment

1 that is equal to the amount of the difference in the aggregate
2 State aid figures as described in paragraph (1).

3 (3) (Blank).

4 (K) Grants to Laboratory and Alternative Schools.

5 In calculating the amount to be paid to the governing board
6 of a public university that operates a laboratory school under
7 this Section or to any alternative school that is operated by a
8 regional superintendent of schools, the State Board of
9 Education shall require by rule such reporting requirements as
10 it deems necessary.

11 As used in this Section, "laboratory school" means a public
12 school which is created and operated by a public university and
13 approved by the State Board of Education. The governing board
14 of a public university which receives funds from the State
15 Board under this subsection (K) may not increase the number of
16 students enrolled in its laboratory school from a single
17 district, if that district is already sending 50 or more
18 students, except under a mutual agreement between the school
19 board of a student's district of residence and the university
20 which operates the laboratory school. A laboratory school may
21 not have more than 1,000 students, excluding students with
22 disabilities in a special education program.

23 As used in this Section, "alternative school" means a
24 public school which is created and operated by a Regional
25 Superintendent of Schools and approved by the State Board of
26 Education. Such alternative schools may offer courses of
27 instruction for which credit is given in regular school
28 programs, courses to prepare students for the high school
29 equivalency testing program or vocational and occupational
30 training. A regional superintendent of schools may contract
31 with a school district or a public community college district
32 to operate an alternative school. An alternative school serving
33 more than one educational service region may be established by
34 the regional superintendents of schools of the affected
35 educational service regions. An alternative school serving

1 more than one educational service region may be operated under
2 such terms as the regional superintendents of schools of those
3 educational service regions may agree.

4 Each laboratory and alternative school shall file, on forms
5 provided by the State Superintendent of Education, an annual
6 State aid claim which states the Average Daily Attendance of
7 the school's students by month. The best 3 months' Average
8 Daily Attendance shall be computed for each school. The general
9 State aid entitlement shall be computed by multiplying the
10 applicable Average Daily Attendance by the Foundation Level as
11 determined under this Section.

12 (L) Payments, Additional Grants in Aid and Other Requirements.

13 (1) For a school district operating under the financial
14 supervision of an Authority created under Article 34A, the
15 general State aid otherwise payable to that district under this
16 Section, but not the supplemental general State aid, shall be
17 reduced by an amount equal to the budget for the operations of
18 the Authority as certified by the Authority to the State Board
19 of Education, and an amount equal to such reduction shall be
20 paid to the Authority created for such district for its
21 operating expenses in the manner provided in Section 18-11. The
22 remainder of general State school aid for any such district
23 shall be paid in accordance with Article 34A when that Article
24 provides for a disposition other than that provided by this
25 Article.

26 (2) (Blank).

27 (3) Summer school. Summer school payments shall be made as
28 provided in Section 18-4.3.

29 (M) Education Funding Advisory Board.

30 The Education Funding Advisory Board, hereinafter in this
31 subsection (M) referred to as the "Board", is hereby created.
32 The Board shall consist of 5 members who are appointed by the
33 Governor, by and with the advice and consent of the Senate. The
34 members appointed shall include representatives of education,

1 business, and the general public. One of the members so
2 appointed shall be designated by the Governor at the time the
3 appointment is made as the chairperson of the Board. The
4 initial members of the Board may be appointed any time after
5 the effective date of this amendatory Act of 1997. The regular
6 term of each member of the Board shall be for 4 years from the
7 third Monday of January of the year in which the term of the
8 member's appointment is to commence, except that of the 5
9 initial members appointed to serve on the Board, the member who
10 is appointed as the chairperson shall serve for a term that
11 commences on the date of his or her appointment and expires on
12 the third Monday of January, 2002, and the remaining 4 members,
13 by lots drawn at the first meeting of the Board that is held
14 after all 5 members are appointed, shall determine 2 of their
15 number to serve for terms that commence on the date of their
16 respective appointments and expire on the third Monday of
17 January, 2001, and 2 of their number to serve for terms that
18 commence on the date of their respective appointments and
19 expire on the third Monday of January, 2000. All members
20 appointed to serve on the Board shall serve until their
21 respective successors are appointed and confirmed. Vacancies
22 shall be filled in the same manner as original appointments. If
23 a vacancy in membership occurs at a time when the Senate is not
24 in session, the Governor shall make a temporary appointment
25 until the next meeting of the Senate, when he or she shall
26 appoint, by and with the advice and consent of the Senate, a
27 person to fill that membership for the unexpired term. If the
28 Senate is not in session when the initial appointments are
29 made, those appointments shall be made as in the case of
30 vacancies.

31 The Education Funding Advisory Board shall be deemed
32 established, and the initial members appointed by the Governor
33 to serve as members of the Board shall take office, on the date
34 that the Governor makes his or her appointment of the fifth
35 initial member of the Board, whether those initial members are
36 then serving pursuant to appointment and confirmation or

1 pursuant to temporary appointments that are made by the
2 Governor as in the case of vacancies.

3 The State Board of Education shall provide such staff
4 assistance to the Education Funding Advisory Board as is
5 reasonably required for the proper performance by the Board of
6 its responsibilities.

7 For school years after the 2000-2001 school year, the
8 Education Funding Advisory Board, in consultation with the
9 State Board of Education, shall make recommendations as
10 provided in this subsection (M) to the General Assembly for the
11 foundation level under subdivision (B)(3) of this Section and
12 for the supplemental general State aid grant level under
13 subsection (H) of this Section for districts with high
14 concentrations of children from poverty. The recommended
15 foundation level shall be determined based on a methodology
16 which incorporates the basic education expenditures of
17 low-spending schools exhibiting high academic performance. The
18 Education Funding Advisory Board shall make such
19 recommendations to the General Assembly on January 1 of odd
20 numbered years, beginning January 1, 2001.

21 (N) (Blank).

22 (O) References.

23 (1) References in other laws to the various subdivisions of
24 Section 18-8 as that Section existed before its repeal and
25 replacement by this Section 18-8.05 shall be deemed to refer to
26 the corresponding provisions of this Section 18-8.05, to the
27 extent that those references remain applicable.

28 (2) References in other laws to State Chapter 1 funds shall
29 be deemed to refer to the supplemental general State aid
30 provided under subsection (H) of this Section.

31 (P) Public Act 93-838 ~~This amendatory Act of the 93rd General~~
32 ~~Assembly~~ and Public Act 93-808 ~~House Bill 4266 of the 93rd~~
33 ~~General Assembly~~ make inconsistent changes to this Section. ~~If~~

1 ~~House Bill 4266 becomes law, then~~ Under Section 6 of the
2 Statute on Statutes there is an irreconcilable conflict between
3 Public Act 93-808 and Public Act 93-838 ~~House Bill 4266 and~~
4 ~~this amendatory Act.~~ Public Act 93-838 ~~This amendatory Act,~~
5 being the last acted upon, is controlling. The text of Public
6 Act 93-838 ~~this amendatory Act~~ is the law regardless of the
7 text of Public Act 93-808 ~~House Bill 4266~~.

8 (Source: P.A. 92-16, eff. 6-28-01; 92-28, eff. 7-1-01; 92-29,
9 eff. 7-1-01; 92-269, eff. 8-7-01; 92-604, eff. 7-1-02; 92-636,
10 eff. 7-11-02; 92-651, eff. 7-11-02; 93-21, eff. 7-1-03; 93-715,
11 eff. 7-12-04; 93-808, eff. 7-26-04; 93-838, eff. 7-30-04;
12 93-875, eff. 8-6-04; revised 10-21-04.)

13 Section 999. Effective date. This Act takes effect upon
14 becoming law.