

SB2698



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2698

Introduced 1/20/2006, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

20 ILCS 662/30
20 ILCS 662/46 new

Amends the Local Planning Technical Assistance Act. Provides for reimbursement to school districts for increased education costs associated with affordable housing that is part of an affordable housing plan.

LRB094 19009 HLH 54500 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning school costs.

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

4 Section 5. The Local Planning Technical Assistance Act is
5 amended by adding Section 46 and by changing Section 30 as
6 follows:

7 (20 ILCS 662/30)

8 Sec. 30. Consistency of land use regulations and actions
9 with comprehensive plans.

10 (a) If a municipality or county is receiving assistance to
11 write or revise a comprehensive plan, for 5 years after the
12 effective date of the plan, land development regulations,
13 including amendments to a zoning map, and any land use actions
14 should be consistent with the new or revised comprehensive
15 plan. "Land use actions" include preliminary or final approval
16 of a subdivision plat, approval of a planned unit development,
17 approval of a conditional use, granting a variance, or a
18 decision by a unit of local government to construct a capital
19 improvement, acquire land for community facilities, or both.

20 (b) Municipalities and counties that have adopted official
21 comprehensive plans in accordance with Division 12 of Article
22 11 of the Illinois Municipal Code or Section 5-14001 of the
23 Counties Code or have adopted housing plans in accordance with
24 the Affordable Housing Planning and Appeal Act, may be eligible
25 for additional preferences in State economic development
26 programs, State transportation programs, State education
27 programs, State planning programs, State natural resources
28 programs, and State agriculture programs.

29 (Source: P.A. 92-768, eff. 8-6-02.)

30 (20 ILCS 662/46 new)

31 Sec. 46. Affordable housing school cost reimbursement.

1 (a) As used in this Section, the following terms have the
2 following meanings:

3 "Additional State aid" means an amount equal to the actual
4 increase in State aid payments under Section 18-8.05 of the
5 School Code that is directly attributable to the eligible
6 students in the school district.

7 "Affordable multifamily housing" means the preservation or
8 creation of any homes (condominiums, apartments, townhomes,
9 etc.) serving non-age-restricted households, as part of a plan,
10 in structures that are not detached single-family units and
11 that are affordable to families whose annual income is less
12 than 80 percent of the areawide median income as determined by
13 the United States Department of Housing and Urban Development.
14 Affordability shall be assured for a period of not less than 30
15 years.

16 "Education percentage" means the average across all school
17 districts of total education expenditures in relation to total
18 school district expenditures as certified as of the end of the
19 preceding school year by the State Board of Education. This
20 calculation shall be made by summing the education percentages
21 in every school district and then dividing by the number of
22 school districts.

23 "Eligible students" means those children living in an
24 affordable housing development that attend school district
25 schools in kindergarten through grade 12.

26 "Governor's Housing Plan" means "Building for Success: The
27 Governor's Housing Plan," created as a result of Executive
28 Order #2003-18.

29 "Local affordable housing revenues for education" means
30 the education percentage times the sum of school district
31 property tax revenues for the preceding school year.

32 "Operating expense per pupil" means the actual, average
33 amount expended per pupil in a school district for the
34 immediately preceding school year, as determined by the State
35 Board of Education.

36 "Plan" means a comprehensive plan or housing plan defined

1 by the Affordable Housing and Planning Appeals Act;

2 "Total education cost for eligible students" means the
3 product of (i) the total number of eligible students in a
4 school district at the end of the prior school year and (ii)
5 average actual school spending per student.

6 (b) For each school year commencing with 2006-2007 school
7 year, each school district shall receive affordable
8 multifamily housing school cost reimbursement from the State
9 pursuant to this Section. This reimbursement shall be
10 calculated separately for each school district and shall be
11 equal to the positive difference, if any, between (i) total
12 education cost for eligible students and (ii) the sum of local
13 affordable housing revenues for education and additional State
14 aid. The Illinois Housing Development Authority shall certify
15 that the affordable multifamily housing advances the
16 preservation or live-near-work goals of the Governor's Housing
17 Plan, so that these amounts shall be distributed to school
18 districts by the State Board of Education pursuant to
19 appropriations for that purpose. If appropriations are
20 insufficient, then distributions shall be prorated.