



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

**SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT**

SC0021

Introduced 2/23/2005, by Sen. M. Maggie Crotty

SYNOPSIS AS INTRODUCED:

ILCON Art. X, Sec. 1

Proposes to amend the Education Article of the Illinois Constitution. Provides that beginning on January 1 of the year following adoption of the constitutional amendment, a surtax on or measured by income at a rate of 3% shall be levied annually on that portion of the income of individuals that exceeds \$250,000. Provides that all receipts shall be deposited into the Education and Permanent Property Tax Relief Trust Fund. Provides that on July 1 of each year, 50% of the public funds in the Trust Fund shall be distributed in equal amounts to every taxpayer who is an owner-occupier of residential real property in the State and the other 50% shall be distributed equally on a per student basis to improve education in public schools through the secondary level. Effective upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

LRB094 08370 RAS 38563 e

1 SENATE JOINT RESOLUTION
2 CONSTITUTIONAL AMENDMENT

3 RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL
4 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
5 CONCURRING HEREIN, that there shall be submitted to the
6 electors of the State for adoption or rejection at the general
7 election next occurring at least 6 months after the adoption of
8 this resolution a proposition to amend Section 1 of Article X
9 of the Illinois Constitution as follows:

10 (ILCON Art. X, Sec. 1)

11 SECTION 1. GOAL - FREE SCHOOLS

12 (a) A fundamental goal of the People of the State is the
13 educational development of all persons to the limits of their
14 capacities.

15 The State shall provide for an efficient system of high
16 quality public educational institutions and services.
17 Education in public schools through the secondary level shall
18 be free. There may be such other free education as the General
19 Assembly provides by law.

20 The State has the primary responsibility for financing the
21 system of public education.

22 (b) The People of the State of Illinois recognize that
23 excessive reliance on real property taxation for financing the
24 system of public education has impeded the fundamental goal of
25 education. The official policy of the State shall be to reduce
26 taxes on owner-occupied residential real property and to
27 improve education by establishing the Education and Permanent
28 Property Tax Relief Trust Fund in this Article.

29 Beginning on January 1 of the year following adoption of
30 this Constitutional Amendment by the People, a surtax on or
31 measured by income at a rate of 3% shall be levied annually on
32 that portion of the income of individuals that exceeds
33 \$250,000. All receipts shall be deposited into the Education
34 and Permanent Property Tax Relief Trust Fund. The corporate

1 rate limitation ratio set forth in subsection (a) of Section 3
2 of Article IX shall remain in effect and be measured by the
3 non-graduated rate authorized in Section 3 of Article IX.
4 Interest earned on the Education and Permanent Property Tax
5 Relief Trust Fund shall be allocated to the Trust Fund.

6 On July 1 of each year, 50% of the public funds in the
7 Education and Permanent Property Tax Relief Trust Fund shall be
8 distributed in equal amounts to every taxpayer who is an
9 owner-occupier of residential real property in the State and
10 the other 50% of the public funds in the Trust Fund shall be
11 distributed equally on a per student basis to improve education
12 in public schools through the secondary level.

13 The General Assembly shall provide by law for the
14 implementation of the public policy set forth in this
15 subsection (b). Every distribution from the Education and
16 Permanent Property Tax Relief Trust Fund shall include the name
17 of each elected officer of the Executive Branch and the
18 following statement: "Adopted by constitutional amendment by
19 the People of the State of Illinois."

20 (Source: Illinois Constitution.)

21 SCHEDULE

22 This Constitutional Amendment takes effect upon being
23 declared adopted in accordance with Section 7 of the Illinois
24 Constitutional Amendment Act.