



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2619

Introduced 2/20/2009, by Rep. Roger L. Eddy

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.36	from Ch. 122, par. 10-22.36
105 ILCS 5/19-1	from Ch. 122, par. 19-1
105 ILCS 5/19-3.5 new	

Amends the School Code. Authorizes Martinsville Community Unit School District 3C to issue bonds in not to exceed the amount of \$4,000,000 for the purpose of paying the cost of acquiring and improving a school site and building and equipping a new school building on the site to replace all or a portion of a school building closed by the regional superintendent of schools because of flood damage. Allows the replacement building to be larger than the size of and offer more functions than the school building being replaced. Provides that the bonds may be issued without referendum, shall mature not more than 30 years from the date of issuance, and shall not be considered indebtedness for purposes of any statutory limitation if the bonds are issued in an amount or amounts, including existing indebtedness of the school district, not in excess of 18.5% of the value of the taxable property in the district to be ascertained by the last assessment for State and county taxes. Effective immediately.

LRB096 10393 NHT 20563 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 10-22.36 and 19-1 and by adding Section 19-3.5 as follows:

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

7 Sec. 10-22.36. Buildings for school purposes. To build or
8 purchase a building for school classroom or instructional
9 purposes upon the approval of a majority of the voters upon the
10 proposition at a referendum held for such purpose or in
11 accordance with Section 17-2.11 or 19-3.5. The board may
12 initiate such referendum by resolution. The board shall certify
13 the resolution and proposition to the proper election authority
14 for submission in accordance with the general election law.

15 The questions of building one or more new buildings for
16 school purposes or office facilities, and issuing bonds for the
17 purpose of borrowing money to purchase one or more buildings or
18 sites for such buildings or office sites, to build one or more
19 new buildings for school purposes or office facilities or to
20 make additions and improvements to existing school buildings,
21 may be combined into one or more propositions on the ballot.

22 Before erecting, or purchasing or remodeling such a
23 building the board shall submit the plans and specifications

1 respecting heating, ventilating, lighting, seating, water
2 supply, toilets and safety against fire to the regional
3 superintendent of schools having supervision and control over
4 the district, for approval in accordance with Section 2-3.12.

5 Notwithstanding any of the foregoing, no referendum shall
6 be required if the purchase, construction, or building of any
7 such building is completed (1) while the building is being
8 leased by the school district or (2) with the expenditure of
9 (A) funds derived from the sale or disposition of other
10 buildings, land, or structures of the school district or (B)
11 funds received (i) as a grant under the School Construction
12 Law, (ii) as gifts or donations, provided that no funds to
13 complete such building, other than lease payments, are derived
14 from the district's bonded indebtedness or the tax levy of the
15 district, or (iii) from the County School Facility Occupation
16 Tax Law under Section 5-1006.7 of the Counties Code.

17 (Source: P.A. 95-675, eff. 10-11-07.)

18 (105 ILCS 5/19-1) (from Ch. 122, par. 19-1)

19 Sec. 19-1. Debt limitations of school districts.

20 (a) School districts shall not be subject to the provisions
21 limiting their indebtedness prescribed in "An Act to limit the
22 indebtedness of counties having a population of less than
23 500,000 and townships, school districts and other municipal
24 corporations having a population of less than 300,000",
25 approved February 15, 1928, as amended.

1 No school districts maintaining grades K through 8 or 9
2 through 12 shall become indebted in any manner or for any
3 purpose to an amount, including existing indebtedness, in the
4 aggregate exceeding 6.9% on the value of the taxable property
5 therein to be ascertained by the last assessment for State and
6 county taxes or, until January 1, 1983, if greater, the sum
7 that is produced by multiplying the school district's 1978
8 equalized assessed valuation by the debt limitation percentage
9 in effect on January 1, 1979, previous to the incurring of such
10 indebtedness.

11 No school districts maintaining grades K through 12 shall
12 become indebted in any manner or for any purpose to an amount,
13 including existing indebtedness, in the aggregate exceeding
14 13.8% on the value of the taxable property therein to be
15 ascertained by the last assessment for State and county taxes
16 or, until January 1, 1983, if greater, the sum that is produced
17 by multiplying the school district's 1978 equalized assessed
18 valuation by the debt limitation percentage in effect on
19 January 1, 1979, previous to the incurring of such
20 indebtedness.

21 No partial elementary unit district, as defined in Article
22 11E of this Code, shall become indebted in any manner or for
23 any purpose in an amount, including existing indebtedness, in
24 the aggregate exceeding 6.9% of the value of the taxable
25 property of the entire district, to be ascertained by the last
26 assessment for State and county taxes, plus an amount,

1 including existing indebtedness, in the aggregate exceeding
2 6.9% of the value of the taxable property of that portion of
3 the district included in the elementary and high school
4 classification, to be ascertained by the last assessment for
5 State and county taxes. Moreover, no partial elementary unit
6 district, as defined in Article 11E of this Code, shall become
7 indebted on account of bonds issued by the district for high
8 school purposes in the aggregate exceeding 6.9% of the value of
9 the taxable property of the entire district, to be ascertained
10 by the last assessment for State and county taxes, nor shall
11 the district become indebted on account of bonds issued by the
12 district for elementary purposes in the aggregate exceeding
13 6.9% of the value of the taxable property for that portion of
14 the district included in the elementary and high school
15 classification, to be ascertained by the last assessment for
16 State and county taxes.

17 Notwithstanding the provisions of any other law to the
18 contrary, in any case in which the voters of a school district
19 have approved a proposition for the issuance of bonds of such
20 school district at an election held prior to January 1, 1979,
21 and all of the bonds approved at such election have not been
22 issued, the debt limitation applicable to such school district
23 during the calendar year 1979 shall be computed by multiplying
24 the value of taxable property therein, including personal
25 property, as ascertained by the last assessment for State and
26 county taxes, previous to the incurring of such indebtedness,

1 by the percentage limitation applicable to such school district
2 under the provisions of this subsection (a).

3 (b) Notwithstanding the debt limitation prescribed in
4 subsection (a) of this Section, additional indebtedness may be
5 incurred in an amount not to exceed the estimated cost of
6 acquiring or improving school sites or constructing and
7 equipping additional building facilities under the following
8 conditions:

9 (1) Whenever the enrollment of students for the next
10 school year is estimated by the board of education to
11 increase over the actual present enrollment by not less
12 than 35% or by not less than 200 students or the actual
13 present enrollment of students has increased over the
14 previous school year by not less than 35% or by not less
15 than 200 students and the board of education determines
16 that additional school sites or building facilities are
17 required as a result of such increase in enrollment; and

18 (2) When the Regional Superintendent of Schools having
19 jurisdiction over the school district and the State
20 Superintendent of Education concur in such enrollment
21 projection or increase and approve the need for such
22 additional school sites or building facilities and the
23 estimated cost thereof; and

24 (3) When the voters in the school district approve a
25 proposition for the issuance of bonds for the purpose of
26 acquiring or improving such needed school sites or

1 constructing and equipping such needed additional building
2 facilities at an election called and held for that purpose.
3 Notice of such an election shall state that the amount of
4 indebtedness proposed to be incurred would exceed the debt
5 limitation otherwise applicable to the school district.
6 The ballot for such proposition shall state what percentage
7 of the equalized assessed valuation will be outstanding in
8 bonds if the proposed issuance of bonds is approved by the
9 voters; or

10 (4) Notwithstanding the provisions of paragraphs (1)
11 through (3) of this subsection (b), if the school board
12 determines that additional facilities are needed to
13 provide a quality educational program and not less than 2/3
14 of those voting in an election called by the school board
15 on the question approve the issuance of bonds for the
16 construction of such facilities, the school district may
17 issue bonds for this purpose; or

18 (5) Notwithstanding the provisions of paragraphs (1)
19 through (3) of this subsection (b), if (i) the school
20 district has previously availed itself of the provisions of
21 paragraph (4) of this subsection (b) to enable it to issue
22 bonds, (ii) the voters of the school district have not
23 defeated a proposition for the issuance of bonds since the
24 referendum described in paragraph (4) of this subsection
25 (b) was held, (iii) the school board determines that
26 additional facilities are needed to provide a quality

1 educational program, and (iv) a majority of those voting in
2 an election called by the school board on the question
3 approve the issuance of bonds for the construction of such
4 facilities, the school district may issue bonds for this
5 purpose.

6 In no event shall the indebtedness incurred pursuant to
7 this subsection (b) and the existing indebtedness of the school
8 district exceed 15% of the value of the taxable property
9 therein to be ascertained by the last assessment for State and
10 county taxes, previous to the incurring of such indebtedness
11 or, until January 1, 1983, if greater, the sum that is produced
12 by multiplying the school district's 1978 equalized assessed
13 valuation by the debt limitation percentage in effect on
14 January 1, 1979.

15 The indebtedness provided for by this subsection (b) shall
16 be in addition to and in excess of any other debt limitation.

17 (c) Notwithstanding the debt limitation prescribed in
18 subsection (a) of this Section, in any case in which a public
19 question for the issuance of bonds of a proposed school
20 district maintaining grades kindergarten through 12 received
21 at least 60% of the valid ballots cast on the question at an
22 election held on or prior to November 8, 1994, and in which the
23 bonds approved at such election have not been issued, the
24 school district pursuant to the requirements of Section 11A-10
25 (now repealed) may issue the total amount of bonds approved at
26 such election for the purpose stated in the question.

1 (d) Notwithstanding the debt limitation prescribed in
2 subsection (a) of this Section, a school district that meets
3 all the criteria set forth in paragraphs (1) and (2) of this
4 subsection (d) may incur an additional indebtedness in an
5 amount not to exceed \$4,500,000, even though the amount of the
6 additional indebtedness authorized by this subsection (d),
7 when incurred and added to the aggregate amount of indebtedness
8 of the district existing immediately prior to the district
9 incurring the additional indebtedness authorized by this
10 subsection (d), causes the aggregate indebtedness of the
11 district to exceed the debt limitation otherwise applicable to
12 that district under subsection (a):

13 (1) The additional indebtedness authorized by this
14 subsection (d) is incurred by the school district through
15 the issuance of bonds under and in accordance with Section
16 17-2.11a for the purpose of replacing a school building
17 which, because of mine subsidence damage, has been closed
18 as provided in paragraph (2) of this subsection (d) or
19 through the issuance of bonds under and in accordance with
20 Section 19-3 for the purpose of increasing the size of, or
21 providing for additional functions in, such replacement
22 school buildings, or both such purposes.

23 (2) The bonds issued by the school district as provided
24 in paragraph (1) above are issued for the purposes of
25 construction by the school district of a new school
26 building pursuant to Section 17-2.11, to replace an

1 existing school building that, because of mine subsidence
2 damage, is closed as of the end of the 1992-93 school year
3 pursuant to action of the regional superintendent of
4 schools of the educational service region in which the
5 district is located under Section 3-14.22 or are issued for
6 the purpose of increasing the size of, or providing for
7 additional functions in, the new school building being
8 constructed to replace a school building closed as the
9 result of mine subsidence damage, or both such purposes.

10 (e) (Blank).

11 (f) Notwithstanding the provisions of subsection (a) of
12 this Section or of any other law, bonds in not to exceed the
13 aggregate amount of \$5,500,000 and issued by a school district
14 meeting the following criteria shall not be considered
15 indebtedness for purposes of any statutory limitation and may
16 be issued in an amount or amounts, including existing
17 indebtedness, in excess of any heretofore or hereafter imposed
18 statutory limitation as to indebtedness:

19 (1) At the time of the sale of such bonds, the board of
20 education of the district shall have determined by
21 resolution that the enrollment of students in the district
22 is projected to increase by not less than 7% during each of
23 the next succeeding 2 school years.

24 (2) The board of education shall also determine by
25 resolution that the improvements to be financed with the
26 proceeds of the bonds are needed because of the projected

1 enrollment increases.

2 (3) The board of education shall also determine by
3 resolution that the projected increases in enrollment are
4 the result of improvements made or expected to be made to
5 passenger rail facilities located in the school district.

6 Notwithstanding the provisions of subsection (a) of this
7 Section or of any other law, a school district that has availed
8 itself of the provisions of this subsection (f) prior to July
9 22, 2004 (the effective date of Public Act 93-799) may also
10 issue bonds approved by referendum up to an amount, including
11 existing indebtedness, not exceeding 25% of the equalized
12 assessed value of the taxable property in the district if all
13 of the conditions set forth in items (1), (2), and (3) of this
14 subsection (f) are met.

15 (g) Notwithstanding the provisions of subsection (a) of
16 this Section or any other law, bonds in not to exceed an
17 aggregate amount of 25% of the equalized assessed value of the
18 taxable property of a school district and issued by a school
19 district meeting the criteria in paragraphs (i) through (iv) of
20 this subsection shall not be considered indebtedness for
21 purposes of any statutory limitation and may be issued pursuant
22 to resolution of the school board in an amount or amounts,
23 including existing indebtedness, in excess of any statutory
24 limitation of indebtedness heretofore or hereafter imposed:

25 (i) The bonds are issued for the purpose of
26 constructing a new high school building to replace two

1 adjacent existing buildings which together house a single
2 high school, each of which is more than 65 years old, and
3 which together are located on more than 10 acres and less
4 than 11 acres of property.

5 (ii) At the time the resolution authorizing the
6 issuance of the bonds is adopted, the cost of constructing
7 a new school building to replace the existing school
8 building is less than 60% of the cost of repairing the
9 existing school building.

10 (iii) The sale of the bonds occurs before July 1, 1997.

11 (iv) The school district issuing the bonds is a unit
12 school district located in a county of less than 70,000 and
13 more than 50,000 inhabitants, which has an average daily
14 attendance of less than 1,500 and an equalized assessed
15 valuation of less than \$29,000,000.

16 (h) Notwithstanding any other provisions of this Section or
17 the provisions of any other law, until January 1, 1998, a
18 community unit school district maintaining grades K through 12
19 may issue bonds up to an amount, including existing
20 indebtedness, not exceeding 27.6% of the equalized assessed
21 value of the taxable property in the district, if all of the
22 following conditions are met:

23 (i) The school district has an equalized assessed
24 valuation for calendar year 1995 of less than \$24,000,000;

25 (ii) The bonds are issued for the capital improvement,
26 renovation, rehabilitation, or replacement of existing

1 school buildings of the district, all of which buildings
2 were originally constructed not less than 40 years ago;

3 (iii) The voters of the district approve a proposition
4 for the issuance of the bonds at a referendum held after
5 March 19, 1996; and

6 (iv) The bonds are issued pursuant to Sections 19-2
7 through 19-7 of this Code.

8 (i) Notwithstanding any other provisions of this Section or
9 the provisions of any other law, until January 1, 1998, a
10 community unit school district maintaining grades K through 12
11 may issue bonds up to an amount, including existing
12 indebtedness, not exceeding 27% of the equalized assessed value
13 of the taxable property in the district, if all of the
14 following conditions are met:

15 (i) The school district has an equalized assessed
16 valuation for calendar year 1995 of less than \$44,600,000;

17 (ii) The bonds are issued for the capital improvement,
18 renovation, rehabilitation, or replacement of existing
19 school buildings of the district, all of which existing
20 buildings were originally constructed not less than 80
21 years ago;

22 (iii) The voters of the district approve a proposition
23 for the issuance of the bonds at a referendum held after
24 December 31, 1996; and

25 (iv) The bonds are issued pursuant to Sections 19-2
26 through 19-7 of this Code.

1 (j) Notwithstanding any other provisions of this Section or
2 the provisions of any other law, until January 1, 1999, a
3 community unit school district maintaining grades K through 12
4 may issue bonds up to an amount, including existing
5 indebtedness, not exceeding 27% of the equalized assessed value
6 of the taxable property in the district if all of the following
7 conditions are met:

8 (i) The school district has an equalized assessed
9 valuation for calendar year 1995 of less than \$140,000,000
10 and a best 3 months average daily attendance for the
11 1995-96 school year of at least 2,800;

12 (ii) The bonds are issued to purchase a site and build
13 and equip a new high school, and the school district's
14 existing high school was originally constructed not less
15 than 35 years prior to the sale of the bonds;

16 (iii) At the time of the sale of the bonds, the board
17 of education determines by resolution that a new high
18 school is needed because of projected enrollment
19 increases;

20 (iv) At least 60% of those voting in an election held
21 after December 31, 1996 approve a proposition for the
22 issuance of the bonds; and

23 (v) The bonds are issued pursuant to Sections 19-2
24 through 19-7 of this Code.

25 (k) Notwithstanding the debt limitation prescribed in
26 subsection (a) of this Section, a school district that meets

1 all the criteria set forth in paragraphs (1) through (4) of
2 this subsection (k) may issue bonds to incur an additional
3 indebtedness in an amount not to exceed \$4,000,000 even though
4 the amount of the additional indebtedness authorized by this
5 subsection (k), when incurred and added to the aggregate amount
6 of indebtedness of the school district existing immediately
7 prior to the school district incurring such additional
8 indebtedness, causes the aggregate indebtedness of the school
9 district to exceed or increases the amount by which the
10 aggregate indebtedness of the district already exceeds the debt
11 limitation otherwise applicable to that school district under
12 subsection (a):

13 (1) the school district is located in 2 counties, and a
14 referendum to authorize the additional indebtedness was
15 approved by a majority of the voters of the school district
16 voting on the proposition to authorize that indebtedness;

17 (2) the additional indebtedness is for the purpose of
18 financing a multi-purpose room addition to the existing
19 high school;

20 (3) the additional indebtedness, together with the
21 existing indebtedness of the school district, shall not
22 exceed 17.4% of the value of the taxable property in the
23 school district, to be ascertained by the last assessment
24 for State and county taxes; and

25 (4) the bonds evidencing the additional indebtedness
26 are issued, if at all, within 120 days of the effective

1 date of this amendatory Act of 1998.

2 (1) Notwithstanding any other provisions of this Section or
3 the provisions of any other law, until January 1, 2000, a
4 school district maintaining grades kindergarten through 8 may
5 issue bonds up to an amount, including existing indebtedness,
6 not exceeding 15% of the equalized assessed value of the
7 taxable property in the district if all of the following
8 conditions are met:

9 (i) the district has an equalized assessed valuation
10 for calendar year 1996 of less than \$10,000,000;

11 (ii) the bonds are issued for capital improvement,
12 renovation, rehabilitation, or replacement of one or more
13 school buildings of the district, which buildings were
14 originally constructed not less than 70 years ago;

15 (iii) the voters of the district approve a proposition
16 for the issuance of the bonds at a referendum held on or
17 after March 17, 1998; and

18 (iv) the bonds are issued pursuant to Sections 19-2
19 through 19-7 of this Code.

20 (m) Notwithstanding any other provisions of this Section or
21 the provisions of any other law, until January 1, 1999, an
22 elementary school district maintaining grades K through 8 may
23 issue bonds up to an amount, excluding existing indebtedness,
24 not exceeding 18% of the equalized assessed value of the
25 taxable property in the district, if all of the following
26 conditions are met:

1 (i) The school district has an equalized assessed
2 valuation for calendar year 1995 or less than \$7,700,000;

3 (ii) The school district operates 2 elementary
4 attendance centers that until 1976 were operated as the
5 attendance centers of 2 separate and distinct school
6 districts;

7 (iii) The bonds are issued for the construction of a
8 new elementary school building to replace an existing
9 multi-level elementary school building of the school
10 district that is not handicapped accessible at all levels
11 and parts of which were constructed more than 75 years ago;

12 (iv) The voters of the school district approve a
13 proposition for the issuance of the bonds at a referendum
14 held after July 1, 1998; and

15 (v) The bonds are issued pursuant to Sections 19-2
16 through 19-7 of this Code.

17 (n) Notwithstanding the debt limitation prescribed in
18 subsection (a) of this Section or any other provisions of this
19 Section or of any other law, a school district that meets all
20 of the criteria set forth in paragraphs (i) through (vi) of
21 this subsection (n) may incur additional indebtedness by the
22 issuance of bonds in an amount not exceeding the amount
23 certified by the Capital Development Board to the school
24 district as provided in paragraph (iii) of this subsection (n),
25 even though the amount of the additional indebtedness so
26 authorized, when incurred and added to the aggregate amount of

1 indebtedness of the district existing immediately prior to the
2 district incurring the additional indebtedness authorized by
3 this subsection (n), causes the aggregate indebtedness of the
4 district to exceed the debt limitation otherwise applicable by
5 law to that district:

6 (i) The school district applies to the State Board of
7 Education for a school construction project grant and
8 submits a district facilities plan in support of its
9 application pursuant to Section 5-20 of the School
10 Construction Law.

11 (ii) The school district's application and facilities
12 plan are approved by, and the district receives a grant
13 entitlement for a school construction project issued by,
14 the State Board of Education under the School Construction
15 Law.

16 (iii) The school district has exhausted its bonding
17 capacity or the unused bonding capacity of the district is
18 less than the amount certified by the Capital Development
19 Board to the district under Section 5-15 of the School
20 Construction Law as the dollar amount of the school
21 construction project's cost that the district will be
22 required to finance with non-grant funds in order to
23 receive a school construction project grant under the
24 School Construction Law.

25 (iv) The bonds are issued for a "school construction
26 project", as that term is defined in Section 5-5 of the

1 School Construction Law, in an amount that does not exceed
2 the dollar amount certified, as provided in paragraph (iii)
3 of this subsection (n), by the Capital Development Board to
4 the school district under Section 5-15 of the School
5 Construction Law.

6 (v) The voters of the district approve a proposition
7 for the issuance of the bonds at a referendum held after
8 the criteria specified in paragraphs (i) and (iii) of this
9 subsection (n) are met.

10 (vi) The bonds are issued pursuant to Sections 19-2
11 through 19-7 of the School Code.

12 (o) Notwithstanding any other provisions of this Section or
13 the provisions of any other law, until November 1, 2007, a
14 community unit school district maintaining grades K through 12
15 may issue bonds up to an amount, including existing
16 indebtedness, not exceeding 20% of the equalized assessed value
17 of the taxable property in the district if all of the following
18 conditions are met:

19 (i) the school district has an equalized assessed
20 valuation for calendar year 2001 of at least \$737,000,000
21 and an enrollment for the 2002-2003 school year of at least
22 8,500;

23 (ii) the bonds are issued to purchase school sites,
24 build and equip a new high school, build and equip a new
25 junior high school, build and equip 5 new elementary
26 schools, and make technology and other improvements and

1 additions to existing schools;

2 (iii) at the time of the sale of the bonds, the board
3 of education determines by resolution that the sites and
4 new or improved facilities are needed because of projected
5 enrollment increases;

6 (iv) at least 57% of those voting in a general election
7 held prior to January 1, 2003 approved a proposition for
8 the issuance of the bonds; and

9 (v) the bonds are issued pursuant to Sections 19-2
10 through 19-7 of this Code.

11 (p) Notwithstanding any other provisions of this Section or
12 the provisions of any other law, a community unit school
13 district maintaining grades K through 12 may issue bonds up to
14 an amount, including indebtedness, not exceeding 27% of the
15 equalized assessed value of the taxable property in the
16 district if all of the following conditions are met:

17 (i) The school district has an equalized assessed
18 valuation for calendar year 2001 of at least \$295,741,187
19 and a best 3 months' average daily attendance for the
20 2002-2003 school year of at least 2,394.

21 (ii) The bonds are issued to build and equip 3
22 elementary school buildings; build and equip one middle
23 school building; and alter, repair, improve, and equip all
24 existing school buildings in the district.

25 (iii) At the time of the sale of the bonds, the board
26 of education determines by resolution that the project is

1 needed because of expanding growth in the school district
2 and a projected enrollment increase.

3 (iv) The bonds are issued pursuant to Sections 19-2
4 through 19-7 of this Code.

5 (p-5) Notwithstanding any other provisions of this Section
6 or the provisions of any other law, bonds issued by a community
7 unit school district maintaining grades K through 12 shall not
8 be considered indebtedness for purposes of any statutory
9 limitation and may be issued in an amount or amounts, including
10 existing indebtedness, in excess of any heretofore or hereafter
11 imposed statutory limitation as to indebtedness, if all of the
12 following conditions are met:

13 (i) For each of the 4 most recent years, residential
14 property comprises more than 80% of the equalized assessed
15 valuation of the district.

16 (ii) At least 2 school buildings that were constructed
17 40 or more years prior to the issuance of the bonds will be
18 demolished and will be replaced by new buildings or
19 additions to one or more existing buildings.

20 (iii) Voters of the district approve a proposition for
21 the issuance of the bonds at a regularly scheduled
22 election.

23 (iv) At the time of the sale of the bonds, the school
24 board determines by resolution that the new buildings or
25 building additions are needed because of an increase in
26 enrollment projected by the school board.

1 (v) The principal amount of the bonds, including
2 existing indebtedness, does not exceed 25% of the equalized
3 assessed value of the taxable property in the district.

4 (vi) The bonds are issued prior to January 1, 2007,
5 pursuant to Sections 19-2 through 19-7 of this Code.

6 (p-10) Notwithstanding any other provisions of this
7 Section or the provisions of any other law, bonds issued by a
8 community consolidated school district maintaining grades K
9 through 8 shall not be considered indebtedness for purposes of
10 any statutory limitation and may be issued in an amount or
11 amounts, including existing indebtedness, in excess of any
12 heretofore or hereafter imposed statutory limitation as to
13 indebtedness, if all of the following conditions are met:

14 (i) For each of the 4 most recent years, residential
15 and farm property comprises more than 80% of the equalized
16 assessed valuation of the district.

17 (ii) The bond proceeds are to be used to acquire and
18 improve school sites and build and equip a school building.

19 (iii) Voters of the district approve a proposition for
20 the issuance of the bonds at a regularly scheduled
21 election.

22 (iv) At the time of the sale of the bonds, the school
23 board determines by resolution that the school sites and
24 building additions are needed because of an increase in
25 enrollment projected by the school board.

26 (v) The principal amount of the bonds, including

1 existing indebtedness, does not exceed 20% of the equalized
2 assessed value of the taxable property in the district.

3 (vi) The bonds are issued prior to January 1, 2007,
4 pursuant to Sections 19-2 through 19-7 of this Code.

5 (p-15) In addition to all other authority to issue bonds,
6 the Oswego Community Unit School District Number 308 may issue
7 bonds with an aggregate principal amount not to exceed
8 \$450,000,000, but only if all of the following conditions are
9 met:

10 (i) The voters of the district have approved a
11 proposition for the bond issue at the general election held
12 on November 7, 2006.

13 (ii) At the time of the sale of the bonds, the school
14 board determines, by resolution, that: (A) the building and
15 equipping of the new high school building, new junior high
16 school buildings, new elementary school buildings, early
17 childhood building, maintenance building, transportation
18 facility, and additions to existing school buildings, the
19 altering, repairing, equipping, and provision of
20 technology improvements to existing school buildings, and
21 the acquisition and improvement of school sites, as the
22 case may be, are required as a result of a projected
23 increase in the enrollment of students in the district; and
24 (B) the sale of bonds for these purposes is authorized by
25 legislation that exempts the debt incurred on the bonds
26 from the district's statutory debt limitation.

1 (iii) The bonds are issued, in one or more bond issues,
2 on or before November 7, 2011, but the aggregate principal
3 amount issued in all such bond issues combined must not
4 exceed \$450,000,000.

5 (iv) The bonds are issued in accordance with this
6 Article 19.

7 (v) The proceeds of the bonds are used only to
8 accomplish those projects approved by the voters at the
9 general election held on November 7, 2006.

10 The debt incurred on any bonds issued under this subsection
11 (p-15) shall not be considered indebtedness for purposes of any
12 statutory debt limitation.

13 (p-20) In addition to all other authority to issue bonds,
14 the Lincoln-Way Community High School District Number 210 may
15 issue bonds with an aggregate principal amount not to exceed
16 \$225,000,000, but only if all of the following conditions are
17 met:

18 (i) The voters of the district have approved a
19 proposition for the bond issue at the general primary
20 election held on March 21, 2006.

21 (ii) At the time of the sale of the bonds, the school
22 board determines, by resolution, that: (A) the building and
23 equipping of the new high school buildings, the altering,
24 repairing, and equipping of existing school buildings, and
25 the improvement of school sites, as the case may be, are
26 required as a result of a projected increase in the

1 enrollment of students in the district; and (B) the sale of
2 bonds for these purposes is authorized by legislation that
3 exempts the debt incurred on the bonds from the district's
4 statutory debt limitation.

5 (iii) The bonds are issued, in one or more bond issues,
6 on or before March 21, 2011, but the aggregate principal
7 amount issued in all such bond issues combined must not
8 exceed \$225,000,000.

9 (iv) The bonds are issued in accordance with this
10 Article 19.

11 (v) The proceeds of the bonds are used only to
12 accomplish those projects approved by the voters at the
13 primary election held on March 21, 2006.

14 The debt incurred on any bonds issued under this subsection
15 (p-20) shall not be considered indebtedness for purposes of any
16 statutory debt limitation.

17 (p-25) In addition to all other authority to issue bonds,
18 Rochester Community Unit School District 3A may issue bonds
19 with an aggregate principal amount not to exceed \$15,000,000,
20 but only if all of the following conditions are met:

21 (i) The voters of the district approve a proposition
22 for the bond issuance at the general primary election held
23 in 2008.

24 (ii) At the time of the sale of the bonds, the school
25 board determines, by resolution, that: (A) the building and
26 equipping of a new high school building; the addition of

1 classrooms and support facilities at the high school,
2 middle school, and elementary school; the altering,
3 repairing, and equipping of existing school buildings; and
4 the improvement of school sites, as the case may be, are
5 required as a result of a projected increase in the
6 enrollment of students in the district; and (B) the sale of
7 bonds for these purposes is authorized by a law that
8 exempts the debt incurred on the bonds from the district's
9 statutory debt limitation.

10 (iii) The bonds are issued, in one or more bond issues,
11 on or before December 31, 2012, but the aggregate principal
12 amount issued in all such bond issues combined must not
13 exceed \$15,000,000.

14 (iv) The bonds are issued in accordance with this
15 Article 19.

16 (v) The proceeds of the bonds are used to accomplish
17 only those projects approved by the voters at the primary
18 election held in 2008.

19 The debt incurred on any bonds issued under this subsection
20 (p-25) shall not be considered indebtedness for purposes of any
21 statutory debt limitation.

22 (p-30) In addition to all other authority to issue bonds,
23 Prairie Grove Consolidated School District 46 may issue bonds
24 with an aggregate principal amount not to exceed \$30,000,000,
25 but only if all of the following conditions are met:

26 (i) The voters of the district approve a proposition

1 for the bond issuance at an election held in 2008.

2 (ii) At the time of the sale of the bonds, the school
3 board determines, by resolution, that (A) the building and
4 equipping of a new school building and additions to
5 existing school buildings are required as a result of a
6 projected increase in the enrollment of students in the
7 district and (B) the altering, repairing, and equipping of
8 existing school buildings are required because of the age
9 of the existing school buildings.

10 (iii) The bonds are issued, in one or more bond
11 issuances, on or before December 31, 2012; however, the
12 aggregate principal amount issued in all such bond
13 issuances combined must not exceed \$30,000,000.

14 (iv) The bonds are issued in accordance with this
15 Article.

16 (v) The proceeds of the bonds are used to accomplish
17 only those projects approved by the voters at an election
18 held in 2008.

19 The debt incurred on any bonds issued under this subsection
20 (p-30) shall not be considered indebtedness for purposes of any
21 statutory debt limitation.

22 (p-35) In addition to all other authority to issue bonds,
23 Prairie Hill Community Consolidated School District 133 may
24 issue bonds with an aggregate principal amount not to exceed
25 \$13,900,000, but only if all of the following conditions are
26 met:

1 (i) The voters of the district approved a proposition
2 for the bond issuance at an election held on April 17,
3 2007.

4 (ii) At the time of the sale of the bonds, the school
5 board determines, by resolution, that (A) the improvement
6 of the site of and the building and equipping of a school
7 building are required as a result of a projected increase
8 in the enrollment of students in the district and (B) the
9 repairing and equipping of the Prairie Hill Elementary
10 School building is required because of the age of that
11 school building.

12 (iii) The bonds are issued, in one or more bond
13 issuances, on or before December 31, 2011, but the
14 aggregate principal amount issued in all such bond
15 issuances combined must not exceed \$13,900,000.

16 (iv) The bonds are issued in accordance with this
17 Article.

18 (v) The proceeds of the bonds are used to accomplish
19 only those projects approved by the voters at an election
20 held on April 17, 2007.

21 The debt incurred on any bonds issued under this subsection
22 (p-35) shall not be considered indebtedness for purposes of any
23 statutory debt limitation.

24 (p-40) In addition to all other authority to issue bonds,
25 Mascoutah Community Unit District 19 may issue bonds with an
26 aggregate principal amount not to exceed \$55,000,000, but only

1 if all of the following conditions are met:

2 (1) The voters of the district approve a proposition
3 for the bond issuance at a regular election held on or
4 after November 4, 2008.

5 (2) At the time of the sale of the bonds, the school
6 board determines, by resolution, that (i) the building and
7 equipping of a new high school building is required as a
8 result of a projected increase in the enrollment of
9 students in the district and the age and condition of the
10 existing high school building, (ii) the existing high
11 school building will be demolished, and (iii) the sale of
12 bonds is authorized by statute that exempts the debt
13 incurred on the bonds from the district's statutory debt
14 limitation.

15 (3) The bonds are issued, in one or more bond
16 issuances, on or before December 31, 2011, but the
17 aggregate principal amount issued in all such bond
18 issuances combined must not exceed \$55,000,000.

19 (4) The bonds are issued in accordance with this
20 Article.

21 (5) The proceeds of the bonds are used to accomplish
22 only those projects approved by the voters at a regular
23 election held on or after November 4, 2008.

24 The debt incurred on any bonds issued under this subsection
25 (p-40) shall not be considered indebtedness for purposes of any
26 statutory debt limitation.

1 (p-45) Notwithstanding the provisions of subsection (a) of
2 this Section or of any other law, bonds issued pursuant to
3 Section 19-3.5 of this Code shall not be considered
4 indebtedness for purposes of any statutory limitation if the
5 bonds are issued in an amount or amounts, including existing
6 indebtedness of the school district, not in excess of 18.5% of
7 the value of the taxable property in the district to be
8 ascertained by the last assessment for State and county taxes.

9 (q) A school district must notify the State Board of
10 Education prior to issuing any form of long-term or short-term
11 debt that will result in outstanding debt that exceeds 75% of
12 the debt limit specified in this Section or any other provision
13 of law.

14 (Source: P.A. 94-234, eff. 7-1-06; 94-721, eff. 1-6-06; 94-952,
15 eff. 6-27-06; 94-1019, eff. 7-10-06; 94-1078, eff. 1-9-07;
16 95-331, eff. 8-21-07; 95-594, eff. 9-10-07; 95-792, eff.
17 1-1-09.)

18 (105 ILCS 5/19-3.5 new)

19 Sec. 19-3.5. Flood-damaged building. Martinsville
20 Community Unit School District 3C is authorized to issue bonds
21 in not to exceed the amount of \$4,000,000 for the purpose of
22 paying the cost of acquiring and improving a school site and
23 building and equipping a new school building on the site to
24 replace all or a portion of a school building closed by the
25 regional superintendent of schools pursuant to Section 3-14.22

1 of this Code because of flood damage. The replacement building
2 may be larger than the size of and offer more functions than
3 the school building being replaced. Bonds issued pursuant to
4 this Section may be issued without referendum and shall mature
5 not more than 30 years from the date of issuance.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.