



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4711

Introduced 1/4/2010, by Rep. Roger L. Eddy - Jerry L. Mitchell
- Suzanne Bassi - Robert W. Pritchard - JoAnn D. Osmond, et al.

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-30 new
105 ILCS 5/34-130 new

Amends the School Code. Provides that no district is obligated to comply with any statutory or regulatory mandate or requirement unless a separate appropriation has been enacted into law providing funding for the school year during which such mandate is required. Contains provisions concerning discontinuing or modifying an activity to meet specified requirements. Provides that specified provisions do not apply to special education, transportation, or lunch programs, or coursework required for high school graduation. Effective immediately.

LRB096 14665 MJR 29509 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 adding Sections
5 10-30 and 34-130 as follows:

6 (105 ILCS 5/10-30 new)

7 Sec. 10-30. Unfunded mandates prohibited.

8 (a) No district is obligated to comply with any statutory
9 or regulatory mandate or requirement unless a separate
10 appropriation has been enacted into law providing funding for
11 the school year during which such mandate is required.

12 (b) If the amount appropriated to fund a statutory or
13 regulatory mandate or requirement is insufficient to fully fund
14 the mandated activity, then the school district may choose to
15 discontinue or modify the mandated activity to assure that the
16 costs of compliance does not exceed the funding received.
17 Official action by a school board must take place before a
18 school district may discontinue or modify a mandated activity
19 due to insufficient funding from the State. If a school
20 district discontinues or modifies a mandated activity due to
21 insufficient funding from the State, then the school district
22 shall maintain a list of discontinued or modified mandated
23 activities. The list shall be provided to the State Board of

1 Education upon request.

2 (c) This Section does not apply to special education,
3 transportation, or lunch programs, or coursework required for
4 high school graduation.

5 (105 ILCS 5/34-130 new)

6 Sec. 34-130. Unfunded mandates prohibited.

7 (a) No district is obligated to comply with any statutory
8 or regulatory mandate or requirement unless a separate
9 appropriation has been enacted into law providing funding for
10 the school year during which such mandate is required.

11 (b) If the amount appropriated to fund a statutory or
12 regulatory mandate or requirement is insufficient to fully fund
13 the mandated activity, then the school district may choose to
14 discontinue or modify the mandated activity to assure that the
15 costs of compliance does not exceed the funding received.
16 Official action by a school board must take place before a
17 school district may discontinue or modify a mandated activity
18 due to insufficient funding from the State. If a school
19 district discontinues or modifies a mandated activity due to
20 insufficient funding from the State, then the school district
21 shall maintain a list of discontinued or modified mandated
22 activities. The list shall be provided to the State Board of
23 Education upon request.

24 (c) This Section does not apply to special education,
25 transportation, or lunch programs, or coursework required for

1 high school graduation.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.