

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 Section
5 22-60 as follows:

6 (105 ILCS 5/22-60 new)

7 Sec. 22-60. Unfunded mandates prohibited.

8 (a) No public school district or private school is
9 obligated to comply with any statutory or regulatory mandate or
10 requirement enacted into law or adopted by rule after the
11 effective date of this amendatory Act of the 96th General
12 Assembly unless a separate appropriation has been enacted into
13 law providing funding for the school year during which such
14 mandate is required.

15 (b) If the amount appropriated to fund a statutory or
16 regulatory mandate or requirement enacted into law or adopted
17 by rule after the effective date of this amendatory Act of the
18 96th General Assembly is insufficient to fully fund the
19 mandated activity, then the school district or private school
20 may choose to discontinue or modify the mandated activity to
21 ensure that the costs of compliance do not exceed the funding
22 received. Official action by the school board of a school
23 district or governing entity of a private school must take

1 place before the school district or private school may
2 discontinue or modify a mandated activity due to insufficient
3 funding from the State. If a school district or private school
4 discontinues or modifies a mandated activity due to
5 insufficient funding from the State, then the school district
6 or private school shall annually maintain and update a list of
7 discontinued or modified mandated activities. The list shall be
8 provided to the State Board of Education upon request.

9 (c) This Section does not apply to (i) new mandates from
10 the Race to the Top Grant through the federal American Recovery
11 and Reinvestment Act of 2009 on school districts designated as
12 being in the lowest performing 5% of schools within the Race to
13 the Top Application and (ii) any laws related to employment
14 under Chapter 820 of the Illinois Compiled Statutes.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.