



Sen. David Koehler

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1 AMENDMENT TO SENATE BILL 616

2 AMENDMENT NO. _____. Amend Senate Bill 616 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 17-2.11 and 19-1 as follows:

6 (105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

7 Sec. 17-2.11. School board power to levy a tax or to borrow
8 money and issue bonds for fire prevention, safety, energy
9 conservation, disabled accessibility, school security, and
10 specified repair purposes.

11 (a) Whenever, as a result of any lawful order of any
12 agency, other than a school board, having authority to enforce
13 any school building code applicable to any facility that houses
14 students, or any law or regulation for the protection and
15 safety of the environment, pursuant to the Environmental
16 Protection Act, any school district having a population of less

1 than 500,000 inhabitants is required to alter or reconstruct
2 any school building or permanent, fixed equipment; the district
3 may, by proper resolution, levy a tax for the purpose of making
4 such alteration or reconstruction, based on a survey report by
5 an architect or engineer licensed in this State, upon all of
6 the taxable property of the district at the value as assessed
7 by the Department of Revenue and at a rate not to exceed 0.05%
8 per year for a period sufficient to finance such alteration or
9 reconstruction, upon the following conditions:

10 (1) When there are not sufficient funds available in
11 the operations and maintenance fund of the school district,
12 the school facility occupation tax fund of the district, or
13 the fire prevention and safety fund of the district, as
14 determined by the district on the basis of rules adopted by
15 the State Board of Education, to make such alteration or
16 reconstruction or to purchase and install such permanent,
17 fixed equipment so ordered or determined as necessary.
18 Appropriate school district records must be made available
19 to the State Superintendent of Education, upon request, to
20 confirm this insufficiency.

21 (2) When a certified estimate of an architect or
22 engineer licensed in this State stating the estimated
23 amount necessary to make the alteration or reconstruction
24 or to purchase and install the equipment so ordered has
25 been secured by the school district, and the estimate has
26 been approved by the regional superintendent of schools

1 having jurisdiction over the district and the State
2 Superintendent of Education. Approval must not be granted
3 for any work that has already started without the prior
4 express authorization of the State Superintendent of
5 Education. If the estimate is not approved or is denied
6 approval by the regional superintendent of schools within 3
7 months after the date on which it is submitted to him or
8 her, the school board of the district may submit the
9 estimate directly to the State Superintendent of Education
10 for approval or denial.

11 In the case of an emergency situation, where the estimated
12 cost to effectuate emergency repairs is less than the amount
13 specified in Section 10-20.21 of this Code, the school district
14 may proceed with such repairs prior to approval by the State
15 Superintendent of Education, but shall comply with the
16 provisions of subdivision (2) of this subsection (a) as soon
17 thereafter as may be as well as Section 10-20.21 of this Code.
18 If the estimated cost to effectuate emergency repairs is
19 greater than the amount specified in Section 10-20.21 of this
20 Code, then the school district shall proceed in conformity with
21 Section 10-20.21 of this Code and with rules established by the
22 State Board of Education to address such situations. The rules
23 adopted by the State Board of Education to deal with these
24 situations shall stipulate that emergency situations must be
25 expedited and given priority consideration. For purposes of
26 this paragraph, an emergency is a situation that presents an

1 imminent and continuing threat to the health and safety of
2 students or other occupants of a facility, requires complete or
3 partial evacuation of a building or part of a building, or
4 consumes one or more of the 5 emergency days built into the
5 adopted calendar of the school or schools or would otherwise be
6 expected to cause such school or schools to fall short of the
7 minimum school calendar requirements.

8 (b) Whenever any such district determines that it is
9 necessary for energy conservation purposes that any school
10 building or permanent, fixed equipment should be altered or
11 reconstructed and that such alterations or reconstruction will
12 be made with funds not necessary for the completion of approved
13 and recommended projects contained in any safety survey report
14 or amendments thereto authorized by Section 2-3.12 of this Act;
15 the district may levy a tax or issue bonds as provided in
16 subsection (a) of this Section.

17 (c) Whenever any such district determines that it is
18 necessary for disabled accessibility purposes and to comply
19 with the school building code that any school building or
20 equipment should be altered or reconstructed and that such
21 alterations or reconstruction will be made with funds not
22 necessary for the completion of approved and recommended
23 projects contained in any safety survey report or amendments
24 thereto authorized under Section 2-3.12 of this Act, the
25 district may levy a tax or issue bonds as provided in
26 subsection (a) of this Section.

1 (d) Whenever any such district determines that it is
2 necessary for school security purposes and the related
3 protection and safety of pupils and school personnel that any
4 school building or property should be altered or reconstructed
5 or that security systems and equipment (including but not
6 limited to intercom, early detection and warning, access
7 control and television monitoring systems) should be purchased
8 and installed, and that such alterations, reconstruction or
9 purchase and installation of equipment will be made with funds
10 not necessary for the completion of approved and recommended
11 projects contained in any safety survey report or amendment
12 thereto authorized by Section 2-3.12 of this Act and will deter
13 and prevent unauthorized entry or activities upon school
14 property by unknown or dangerous persons, assure early
15 detection and advance warning of any such actual or attempted
16 unauthorized entry or activities and help assure the continued
17 safety of pupils and school staff if any such unauthorized
18 entry or activity is attempted or occurs; the district may levy
19 a tax or issue bonds as provided in subsection (a) of this
20 Section.

21 (e) If a school district does not need funds for other fire
22 prevention and safety projects, including the completion of
23 approved and recommended projects contained in any safety
24 survey report or amendments thereto authorized by Section
25 2-3.12 of this Act, and it is determined after a public hearing
26 (which is preceded by at least one published notice (i)

1 occurring at least 7 days prior to the hearing in a newspaper
2 of general circulation within the school district and (ii)
3 setting forth the time, date, place, and general subject matter
4 of the hearing) that there is a substantial, immediate, and
5 otherwise unavoidable threat to the health, safety, or welfare
6 of pupils due to disrepair of school sidewalks, playgrounds,
7 parking lots, or school bus turnarounds and repairs must be
8 made; then the district may levy a tax or issue bonds as
9 provided in subsection (a) of this Section.

10 (f) For purposes of this Section a school district may
11 replace a school building or build additions to replace
12 portions of a building when it is determined that the
13 effectuation of the recommendations for the existing building
14 will cost more than the replacement costs to be paid for from
15 the proceeds of bonds issued pursuant to this Section. Such
16 determination shall be based on a comparison of estimated costs
17 made by an architect or engineer licensed in the State of
18 Illinois. The portion of the new building or addition paid for
19 from the proceeds of bonds issued pursuant to this Section
20 shall not exceed the ~~be equivalent in~~ area (square feet) of the
21 buildings or additions being replaced, shall be ~~and~~ comparable
22 in purpose and grades served, and may be on the same site or
23 another site. Such replacement may only be done upon order of
24 the regional superintendent of schools and the approval of the
25 State Superintendent of Education.

26 (g) The filing of a certified copy of the resolution

1 levying the tax when accompanied by the certificates of the
2 regional superintendent of schools and State Superintendent of
3 Education shall be the authority of the county clerk to extend
4 such tax.

5 (h) The county clerk of the county in which any school
6 district levying a tax under the authority of this Section is
7 located, in reducing raised levies, shall not consider any such
8 tax as a part of the general levy for school purposes and shall
9 not include the same in the limitation of any other tax rate
10 which may be extended.

11 Such tax shall be levied and collected in like manner as
12 all other taxes of school districts, subject to the provisions
13 contained in this Section.

14 (i) The tax rate limit specified in this Section may be
15 increased to .10% upon the approval of a proposition to effect
16 such increase by a majority of the electors voting on that
17 proposition at a regular scheduled election. Such proposition
18 may be initiated by resolution of the school board and shall be
19 certified by the secretary to the proper election authorities
20 for submission in accordance with the general election law.

21 (j) When taxes are levied by any school district for fire
22 prevention, safety, energy conservation, and school security
23 purposes as specified in this Section, and the purposes for
24 which the taxes have been levied are accomplished and paid in
25 full, and there remain funds on hand in the Fire Prevention and
26 Safety Fund from the proceeds of the taxes levied, including

1 interest earnings thereon, the school board by resolution shall
2 use such excess and other board restricted funds, excluding
3 bond proceeds and earnings from such proceeds, as follows:

4 (1) for other authorized fire prevention, safety,
5 energy conservation, and school security purposes; or

6 (2) for transfer to the Operations and Maintenance Fund
7 for the purpose of abating an equal amount of operations
8 and maintenance purposes taxes.

9 (k) If any transfer is made to the Operation and
10 Maintenance Fund, the secretary of the school board shall
11 within 30 days notify the county clerk of the amount of that
12 transfer and direct the clerk to abate the taxes to be extended
13 for the purposes of operations and maintenance authorized under
14 Section 17-2 of this Act by an amount equal to such transfer.

15 (l) If the proceeds from the tax levy authorized by this
16 Section are insufficient to complete the work approved under
17 this Section, the school board is authorized to sell bonds
18 without referendum under the provisions of this Section in an
19 amount that, when added to the proceeds of the tax levy
20 authorized by this Section, will allow completion of the
21 approved work.

22 (m) Any bonds issued pursuant to this Section shall bear
23 interest at a rate not to exceed the maximum rate authorized by
24 law at the time of the making of the contract, shall mature
25 within 20 years from date, and shall be signed by the president
26 of the school board and the treasurer of the school district.

1 (n) In order to authorize and issue such bonds, the school
2 board shall adopt a resolution fixing the amount of bonds, the
3 date thereof, the maturities thereof, rates of interest
4 thereof, place of payment and denomination, which shall be in
5 denominations of not less than \$100 and not more than \$5,000,
6 and provide for the levy and collection of a direct annual tax
7 upon all the taxable property in the school district sufficient
8 to pay the principal and interest on such bonds to maturity.
9 Upon the filing in the office of the county clerk of the county
10 in which the school district is located of a certified copy of
11 the resolution, it is the duty of the county clerk to extend
12 the tax therefor in addition to and in excess of all other
13 taxes heretofore or hereafter authorized to be levied by such
14 school district.

15 (o) After the time such bonds are issued as provided for by
16 this Section, if additional alterations or reconstructions are
17 required to be made because of surveys conducted by an
18 architect or engineer licensed in the State of Illinois, the
19 district may levy a tax at a rate not to exceed .05% per year
20 upon all the taxable property of the district or issue
21 additional bonds, whichever action shall be the most feasible.

22 (p) This Section is cumulative and constitutes complete
23 authority for the issuance of bonds as provided in this Section
24 notwithstanding any other statute or law to the contrary.

25 (q) With respect to instruments for the payment of money
26 issued under this Section either before, on, or after the

1 effective date of Public Act 86-004 (June 6, 1989), it is, and
2 always has been, the intention of the General Assembly (i) that
3 the Omnibus Bond Acts are, and always have been, supplementary
4 grants of power to issue instruments in accordance with the
5 Omnibus Bond Acts, regardless of any provision of this Act that
6 may appear to be or to have been more restrictive than those
7 Acts, (ii) that the provisions of this Section are not a
8 limitation on the supplementary authority granted by the
9 Omnibus Bond Acts, and (iii) that instruments issued under this
10 Section within the supplementary authority granted by the
11 Omnibus Bond Acts are not invalid because of any provision of
12 this Act that may appear to be or to have been more restrictive
13 than those Acts.

14 (r) When the purposes for which the bonds are issued have
15 been accomplished and paid for in full and there remain funds
16 on hand from the proceeds of the bond sale and interest
17 earnings therefrom, the board shall, by resolution, use such
18 excess funds in accordance with the provisions of Section
19 10-22.14 of this Act.

20 (s) Whenever any tax is levied or bonds issued for fire
21 prevention, safety, energy conservation, and school security
22 purposes, such proceeds shall be deposited and accounted for
23 separately within the Fire Prevention and Safety Fund.

24 (Source: P.A. 95-675, eff. 10-11-07; 95-793, eff. 1-1-09;
25 96-252, eff. 8-11-09.)

1 (105 ILCS 5/19-1)

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

3 (a) School districts shall not be subject to the provisions
4 limiting their indebtedness prescribed in "An Act to limit the
5 indebtedness of counties having a population of less than
6 500,000 and townships, school districts and other municipal
7 corporations having a population of less than 300,000",
8 approved February 15, 1928, as amended.

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

19 No school districts maintaining grades K through 12 shall
20 become indebted in any manner or for any purpose to an amount,
21 including existing indebtedness, in the aggregate exceeding
22 13.8% on the value of the taxable property therein to be
23 ascertained by the last assessment for State and county taxes
24 or, until January 1, 1983, if greater, the sum that is produced
25 by multiplying the school district's 1978 equalized assessed
26 valuation by the debt limitation percentage in effect on

1 January 1, 1979, previous to the incurring of such
2 indebtedness.

3 No partial elementary unit district, as defined in Article
4 11E of this Code, shall become indebted in any manner or for
5 any purpose in an amount, including existing indebtedness, in
6 the aggregate exceeding 6.9% of the value of the taxable
7 property of the entire district, to be ascertained by the last
8 assessment for State and county taxes, plus an amount,
9 including existing indebtedness, in the aggregate exceeding
10 6.9% of the value of the taxable property of that portion of
11 the district included in the elementary and high school
12 classification, to be ascertained by the last assessment for
13 State and county taxes. Moreover, no partial elementary unit
14 district, as defined in Article 11E of this Code, shall become
15 indebted on account of bonds issued by the district for high
16 school purposes in the aggregate exceeding 6.9% of the value of
17 the taxable property of the entire district, to be ascertained
18 by the last assessment for State and county taxes, nor shall
19 the district become indebted on account of bonds issued by the
20 district for elementary purposes in the aggregate exceeding
21 6.9% of the value of the taxable property for that portion of
22 the district included in the elementary and high school
23 classification, to be ascertained by the last assessment for
24 State and county taxes.

25 Notwithstanding the provisions of any other law to the
26 contrary, in any case in which the voters of a school district

1 have approved a proposition for the issuance of bonds of such
2 school district at an election held prior to January 1, 1979,
3 and all of the bonds approved at such election have not been
4 issued, the debt limitation applicable to such school district
5 during the calendar year 1979 shall be computed by multiplying
6 the value of taxable property therein, including personal
7 property, as ascertained by the last assessment for State and
8 county taxes, previous to the incurring of such indebtedness,
9 by the percentage limitation applicable to such school district
10 under the provisions of this subsection (a).

11 (b) Notwithstanding the debt limitation prescribed in
12 subsection (a) of this Section, additional indebtedness may be
13 incurred in an amount not to exceed the estimated cost of
14 acquiring or improving school sites or constructing and
15 equipping additional building facilities under the following
16 conditions:

17 (1) Whenever the enrollment of students for the next
18 school year is estimated by the board of education to
19 increase over the actual present enrollment by not less
20 than 35% or by not less than 200 students or the actual
21 present enrollment of students has increased over the
22 previous school year by not less than 35% or by not less
23 than 200 students and the board of education determines
24 that additional school sites or building facilities are
25 required as a result of such increase in enrollment; and

26 (2) When the Regional Superintendent of Schools having

1 jurisdiction over the school district and the State
2 Superintendent of Education concur in such enrollment
3 projection or increase and approve the need for such
4 additional school sites or building facilities and the
5 estimated cost thereof; and

6 (3) When the voters in the school district approve a
7 proposition for the issuance of bonds for the purpose of
8 acquiring or improving such needed school sites or
9 constructing and equipping such needed additional building
10 facilities at an election called and held for that purpose.
11 Notice of such an election shall state that the amount of
12 indebtedness proposed to be incurred would exceed the debt
13 limitation otherwise applicable to the school district.
14 The ballot for such proposition shall state what percentage
15 of the equalized assessed valuation will be outstanding in
16 bonds if the proposed issuance of bonds is approved by the
17 voters; or

18 (4) Notwithstanding the provisions of paragraphs (1)
19 through (3) of this subsection (b), if the school board
20 determines that additional facilities are needed to
21 provide a quality educational program and not less than 2/3
22 of those voting in an election called by the school board
23 on the question approve the issuance of bonds for the
24 construction of such facilities, the school district may
25 issue bonds for this purpose; or

26 (5) Notwithstanding the provisions of paragraphs (1)

1 through (3) of this subsection (b), if (i) the school
2 district has previously availed itself of the provisions of
3 paragraph (4) of this subsection (b) to enable it to issue
4 bonds, (ii) the voters of the school district have not
5 defeated a proposition for the issuance of bonds since the
6 referendum described in paragraph (4) of this subsection
7 (b) was held, (iii) the school board determines that
8 additional facilities are needed to provide a quality
9 educational program, and (iv) a majority of those voting in
10 an election called by the school board on the question
11 approve the issuance of bonds for the construction of such
12 facilities, the school district may issue bonds for this
13 purpose.

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

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

25 (c) Notwithstanding the debt limitation prescribed in
26 subsection (a) of this Section, in any case in which a public

1 question for the issuance of bonds of a proposed school
2 district maintaining grades kindergarten through 12 received
3 at least 60% of the valid ballots cast on the question at an
4 election held on or prior to November 8, 1994, and in which the
5 bonds approved at such election have not been issued, the
6 school district pursuant to the requirements of Section 11A-10
7 (now repealed) may issue the total amount of bonds approved at
8 such election for the purpose stated in the question.

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

21 (1) The additional indebtedness authorized by this
22 subsection (d) is incurred by the school district through
23 the issuance of bonds under and in accordance with Section
24 17-2.11a for the purpose of replacing a school building
25 which, because of mine subsidence damage, has been closed
26 as provided in paragraph (2) of this subsection (d) or

1 through the issuance of bonds under and in accordance with
2 Section 19-3 for the purpose of increasing the size of, or
3 providing for additional functions in, such replacement
4 school buildings, or both such purposes.

5 (2) The bonds issued by the school district as provided
6 in paragraph (1) above are issued for the purposes of
7 construction by the school district of a new school
8 building pursuant to Section 17-2.11, to replace an
9 existing school building that, because of mine subsidence
10 damage, is closed as of the end of the 1992-93 school year
11 pursuant to action of the regional superintendent of
12 schools of the educational service region in which the
13 district is located under Section 3-14.22 or are issued for
14 the purpose of increasing the size of, or providing for
15 additional functions in, the new school building being
16 constructed to replace a school building closed as the
17 result of mine subsidence damage, or both such purposes.

18 (e) (Blank).

19 (f) Notwithstanding the provisions of subsection (a) of
20 this Section or of any other law, bonds in not to exceed the
21 aggregate amount of \$5,500,000 and issued by a school district
22 meeting the following criteria shall not be considered
23 indebtedness for purposes of any statutory limitation and may
24 be issued in an amount or amounts, including existing
25 indebtedness, in excess of any heretofore or hereafter imposed
26 statutory limitation as to indebtedness:

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

6 (2) The board of education shall also determine by
7 resolution that the improvements to be financed with the
8 proceeds of the bonds are needed because of the projected
9 enrollment increases.

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

14 Notwithstanding the provisions of subsection (a) of this
15 Section or of any other law, a school district that has availed
16 itself of the provisions of this subsection (f) prior to July
17 22, 2004 (the effective date of Public Act 93-799) may also
18 issue bonds approved by referendum up to an amount, including
19 existing indebtedness, not exceeding 25% of the equalized
20 assessed value of the taxable property in the district if all
21 of the conditions set forth in items (1), (2), and (3) of this
22 subsection (f) are met.

23 (g) Notwithstanding the provisions of subsection (a) of
24 this Section or any other law, bonds in not to exceed an
25 aggregate amount of 25% of the equalized assessed value of the
26 taxable property of a school district and issued by a school

1 district meeting the criteria in paragraphs (i) through (iv) of
2 this subsection shall not be considered indebtedness for
3 purposes of any statutory limitation and may be issued pursuant
4 to resolution of the school board in an amount or amounts,
5 including existing indebtedness, in excess of any statutory
6 limitation of indebtedness heretofore or hereafter imposed:

7 (i) The bonds are issued for the purpose of
8 constructing a new high school building to replace two
9 adjacent existing buildings which together house a single
10 high school, each of which is more than 65 years old, and
11 which together are located on more than 10 acres and less
12 than 11 acres of property.

13 (ii) At the time the resolution authorizing the
14 issuance of the bonds is adopted, the cost of constructing
15 a new school building to replace the existing school
16 building is less than 60% of the cost of repairing the
17 existing school building.

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

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

24 (h) Notwithstanding any other provisions of this Section or
25 the provisions of any other law, until January 1, 1998, a
26 community unit school district maintaining grades K through 12

1 may issue bonds up to an amount, including existing
2 indebtedness, not exceeding 27.6% of the equalized assessed
3 value of the taxable property in the district, if all of the
4 following conditions are met:

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

7 (ii) The bonds are issued for the capital improvement,
8 renovation, rehabilitation, or replacement of existing
9 school buildings of the district, all of which buildings
10 were originally constructed not less than 40 years ago;

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

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

16 (i) 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% of the equalized assessed value
21 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 \$44,600,000;

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 existing
2 buildings were originally constructed not less than 80
3 years ago;

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

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

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

16 (i) The school district has an equalized assessed
17 valuation for calendar year 1995 of less than \$140,000,000
18 and a best 3 months average daily attendance for the
19 1995-96 school year of at least 2,800;

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

24 (iii) At the time of the sale of the bonds, the board
25 of education determines by resolution that a new high
26 school is needed because of projected enrollment

1 increases;

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

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

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

21 (1) the school district is located in 2 counties, and a
22 referendum to authorize the additional indebtedness was
23 approved by a majority of the voters of the school district
24 voting on the proposition to authorize that indebtedness;

25 (2) the additional indebtedness is for the purpose of
26 financing a multi-purpose room addition to the existing

1 high school;

2 (3) the additional indebtedness, together with the
3 existing indebtedness of the school district, shall not
4 exceed 17.4% of the value of the taxable property in the
5 school district, to be ascertained by the last assessment
6 for State and county taxes; and

7 (4) the bonds evidencing the additional indebtedness
8 are issued, if at all, within 120 days of the effective
9 date of this amendatory Act of 1998.

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

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

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

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

26 (iv) the bonds are issued pursuant to Sections 19-2

1 through 19-7 of this Code.

2 (m) Notwithstanding any other provisions of this Section or
3 the provisions of any other law, until January 1, 1999, an
4 elementary school district maintaining grades K through 8 may
5 issue bonds up to an amount, excluding existing indebtedness,
6 not exceeding 18% 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 school district has an equalized assessed
10 valuation for calendar year 1995 or less than \$7,700,000;

11 (ii) The school district operates 2 elementary
12 attendance centers that until 1976 were operated as the
13 attendance centers of 2 separate and distinct school
14 districts;

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

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

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

25 (n) Notwithstanding the debt limitation prescribed in
26 subsection (a) of this Section or any other provisions of this

1 Section or of any other law, a school district that meets all
2 of the criteria set forth in paragraphs (i) through (vi) or
3 paragraphs (i), (ii), and (iv) of this subsection (n) may incur
4 additional indebtedness by the issuance of bonds or the
5 execution of a lease with a public commission in an amount not
6 exceeding the amount certified by the Capital Development Board
7 to the school district as provided in paragraph (iii) of this
8 subsection (n), even though the amount of the additional
9 indebtedness so authorized, when incurred and added to the
10 aggregate amount of indebtedness of the district existing
11 immediately prior to the district incurring the additional
12 indebtedness authorized by this subsection (n), causes the
13 aggregate indebtedness of the district to exceed the debt
14 limitation otherwise applicable by law to that district:

15 (i) The school district applies to the State Board of
16 Education for a school construction project grant and
17 submits a district facilities plan in support of its
18 application pursuant to Section 5-20 of the School
19 Construction Law.

20 (ii) The school district's application and facilities
21 plan are approved by, and the district receives a grant
22 entitlement for a school construction project issued by,
23 the State Board of Education under the School Construction
24 Law.

25 (iii) The school district has exhausted its bonding
26 capacity or the unused bonding capacity of the district is

1 less than the amount certified by the Capital Development
2 Board to the district under Section 5-15 of the School
3 Construction Law as the dollar amount of the school
4 construction project's cost that the district will be
5 required to finance with non-grant funds in order to
6 receive a school construction project grant under the
7 School Construction Law.

8 (iv) The bonds are issued for a "school construction
9 project", as that term is defined in Section 5-5 of the
10 School Construction Law, in an amount that does not exceed
11 the dollar amount certified, as provided in paragraph (iii)
12 of this subsection (n), by the Capital Development Board to
13 the school district under Section 5-15 of the School
14 Construction Law.

15 (v) The voters of the district approve a proposition
16 for the issuance of the bonds at a referendum held after
17 the criteria specified in paragraphs (i) and (iii) of this
18 subsection (n) are met.

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

21 (vii) The school district will lease the school
22 construction project from a public building commission
23 pursuant to the Public Building Commission Act.

24 The indebtedness incurred on any lease under this
25 subsection (n) shall not be indebtedness for purposes of any
26 statutory debt limitation.

1 (o) Notwithstanding any other provisions of this Section or
2 the provisions of any other law, until November 1, 2007, 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 20% 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 2001 of at least \$737,000,000
10 and an enrollment for the 2002-2003 school year of at least
11 8,500;

12 (ii) the bonds are issued to purchase school sites,
13 build and equip a new high school, build and equip a new
14 junior high school, build and equip 5 new elementary
15 schools, and make technology and other improvements and
16 additions to existing schools;

17 (iii) at the time of the sale of the bonds, the board
18 of education determines by resolution that the sites and
19 new or improved facilities are needed because of projected
20 enrollment increases;

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

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

26 (p) Notwithstanding any other provisions of this Section or

1 the provisions of any other law, a community unit school
2 district maintaining grades K through 12 may issue bonds up to
3 an amount, including indebtedness, not exceeding 27% of the
4 equalized assessed value of the taxable property in the
5 district if all of the following conditions are met:

6 (i) The school district has an equalized assessed
7 valuation for calendar year 2001 of at least \$295,741,187
8 and a best 3 months' average daily attendance for the
9 2002-2003 school year of at least 2,394.

10 (ii) The bonds are issued to build and equip 3
11 elementary school buildings; build and equip one middle
12 school building; and alter, repair, improve, and equip all
13 existing school buildings in the district.

14 (iii) At the time of the sale of the bonds, the board
15 of education determines by resolution that the project is
16 needed because of expanding growth in the school district
17 and a projected enrollment increase.

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

20 (p-5) Notwithstanding any other provisions of this Section
21 or the provisions of any other law, bonds issued by a community
22 unit school district maintaining grades K through 12 shall not
23 be considered indebtedness for purposes of any statutory
24 limitation and may be issued in an amount or amounts, including
25 existing indebtedness, in excess of any heretofore or hereafter
26 imposed statutory limitation as to indebtedness, if all of the

1 following conditions are met:

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

5 (ii) At least 2 school buildings that were constructed
6 40 or more years prior to the issuance of the bonds will be
7 demolished and will be replaced by new buildings or
8 additions to one or more existing buildings.

9 (iii) Voters of the district approve a proposition for
10 the issuance of the bonds at a regularly scheduled
11 election.

12 (iv) At the time of the sale of the bonds, the school
13 board determines by resolution that the new buildings or
14 building additions are needed because of an increase in
15 enrollment projected by the school board.

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

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

21 (p-10) Notwithstanding any other provisions of this
22 Section or the provisions of any other law, bonds issued by a
23 community consolidated school district maintaining grades K
24 through 8 shall not be considered indebtedness for purposes of
25 any statutory limitation and may be issued in an amount or
26 amounts, including existing indebtedness, in excess of any

1 heretofore or hereafter imposed statutory limitation as to
2 indebtedness, if all of the following conditions are met:

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

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

8 (iii) Voters of the district approve a proposition for
9 the issuance of the bonds at a regularly scheduled
10 election.

11 (iv) At the time of the sale of the bonds, the school
12 board determines by resolution that the school sites and
13 building additions are needed because of an increase in
14 enrollment projected by the school board.

15 (v) The principal amount of the bonds, including
16 existing indebtedness, does not exceed 20% of the equalized
17 assessed value of the taxable property in the district.

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

20 (p-15) In addition to all other authority to issue bonds,
21 the Oswego Community Unit School District Number 308 may issue
22 bonds with an aggregate principal amount not to exceed
23 \$450,000,000, but only if all of the following conditions are
24 met:

25 (i) The voters of the district have approved a
26 proposition for the bond issue at the general election held

1 on November 7, 2006.

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 the new high school building, new junior high
5 school buildings, new elementary school buildings, early
6 childhood building, maintenance building, transportation
7 facility, and additions to existing school buildings, the
8 altering, repairing, equipping, and provision of
9 technology improvements to existing school buildings, and
10 the acquisition and improvement of school sites, as the
11 case may be, are required as a result of a projected
12 increase in the enrollment of students in the district; and
13 (B) the sale of bonds for these purposes is authorized by
14 legislation that exempts the debt incurred on the bonds
15 from the district's statutory debt limitation.

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

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

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

25 The debt incurred on any bonds issued under this subsection
26 (p-15) shall not be considered indebtedness for purposes of any

1 statutory debt limitation.

2 (p-20) In addition to all other authority to issue bonds,
3 the Lincoln-Way Community High School District Number 210 may
4 issue bonds with an aggregate principal amount not to exceed
5 \$225,000,000, but only if all of the following conditions are
6 met:

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

10 (ii) At the time of the sale of the bonds, the school
11 board determines, by resolution, that: (A) the building and
12 equipping of the new high school buildings, the altering,
13 repairing, and equipping of existing school buildings, and
14 the improvement of school sites, as the case may be, are
15 required as a result of a projected increase in the
16 enrollment of students in the district; and (B) the sale of
17 bonds for these purposes is authorized by legislation that
18 exempts the debt incurred on the bonds from the district's
19 statutory debt limitation.

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

24 (iv) The bonds are issued in accordance with this
25 Article 19.

26 (v) The proceeds of the bonds are used only to

1 accomplish those projects approved by the voters at the
2 primary election held on March 21, 2006.

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

6 (p-25) In addition to all other authority to issue bonds,
7 Rochester Community Unit School District 3A may issue bonds
8 with an aggregate principal amount not to exceed \$18,500,000,
9 but only if all of the following conditions are met:

10 (i) The voters of the district approve a proposition
11 for the bond issuance at the general primary election held
12 in 2008.

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 a new high school building; the addition of
16 classrooms and support facilities at the high school,
17 middle school, and elementary school; the altering,
18 repairing, and equipping of existing school buildings; and
19 the improvement of school sites, as the case may be, are
20 required as a result of a projected increase in the
21 enrollment of students in the district; and (B) the sale of
22 bonds for these purposes is authorized by a law that
23 exempts the debt incurred on the bonds from the district's
24 statutory debt limitation.

25 (iii) The bonds are issued, in one or more bond issues,
26 on or before December 31, 2012, but the aggregate principal

1 amount issued in all such bond issues combined must not
2 exceed \$18,500,000.

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

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

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

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

15 (i) The voters of the district approve a proposition
16 for the bond issuance at an election held in 2008.

17 (ii) At the time of the sale of the bonds, the school
18 board determines, by resolution, that (A) the building and
19 equipping of a new school building and additions to
20 existing school buildings are required as a result of a
21 projected increase in the enrollment of students in the
22 district and (B) the altering, repairing, and equipping of
23 existing school buildings are required because of the age
24 of the existing school buildings.

25 (iii) The bonds are issued, in one or more bond
26 issuances, on or before December 31, 2012; however, the

1 aggregate principal amount issued in all such bond
2 issuances combined must not exceed \$30,000,000.

3 (iv) The bonds are issued in accordance with this
4 Article.

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

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

11 (p-35) In addition to all other authority to issue bonds,
12 Prairie Hill Community Consolidated School District 133 may
13 issue bonds with an aggregate principal amount not to exceed
14 \$13,900,000, but only if all of the following conditions are
15 met:

16 (i) The voters of the district approved a proposition
17 for the bond issuance at an election held on April 17,
18 2007.

19 (ii) At the time of the sale of the bonds, the school
20 board determines, by resolution, that (A) the improvement
21 of the site of and the building and equipping of a school
22 building are required as a result of a projected increase
23 in the enrollment of students in the district and (B) the
24 repairing and equipping of the Prairie Hill Elementary
25 School building is required because of the age of that
26 school building.

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

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

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

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

13 (p-40) In addition to all other authority to issue bonds,
14 Mascoutah Community Unit District 19 may issue bonds with an
15 aggregate principal amount not to exceed \$55,000,000, but only
16 if all of the following conditions are met:

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

20 (2) At the time of the sale of the bonds, the school
21 board determines, by resolution, that (i) the building and
22 equipping of a new high school building is required as a
23 result of a projected increase in the enrollment of
24 students in the district and the age and condition of the
25 existing high school building, (ii) the existing high
26 school building will be demolished, and (iii) the sale of

1 bonds is authorized by statute that exempts the debt
2 incurred on the bonds from the district's statutory debt
3 limitation.

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

8 (4) The bonds are issued in accordance with this
9 Article.

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

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

16 (p-45) Notwithstanding the provisions of subsection (a) of
17 this Section or of any other law, bonds issued pursuant to
18 Section 19-3.5 of this Code shall not be considered
19 indebtedness for purposes of any statutory limitation if the
20 bonds are issued in an amount or amounts, including existing
21 indebtedness of the school district, not in excess of 18.5% of
22 the value of the taxable property in the district to be
23 ascertained by the last assessment for State and county taxes.

24 (p-50) Notwithstanding the provisions of subsection (a) of
25 this Section or of any other law, bonds issued pursuant to
26 Section 19-3.10 of this Code shall not be considered

1 indebtedness for purposes of any statutory limitation if the
2 bonds are issued in an amount or amounts, including existing
3 indebtedness of the school district, not in excess of 43% of
4 the value of the taxable property in the district to be
5 ascertained by the last assessment for State and county taxes.

6 (p-55) ~~(p-45)~~ In addition to all other authority to issue
7 bonds, Belle Valley School District 119 may issue bonds with an
8 aggregate principal amount not to exceed \$47,500,000, but only
9 if all of the following conditions are met:

10 (1) The voters of the district approve a proposition
11 for the bond issuance at an election held on or after April
12 7, 2009.

13 (2) Prior to the issuance of the bonds, the school
14 board determines, by resolution, that (i) the building and
15 equipping of a new school building is required as a result
16 of mine subsidence in an existing school building and
17 because of the age and condition of another existing school
18 building and (ii) the issuance of bonds is authorized by
19 statute that exempts the debt incurred on the bonds from
20 the district's statutory debt limitation.

21 (3) The bonds are issued, in one or more bond
22 issuances, on or before March 31, 2014, but the aggregate
23 principal amount issued in all such bond issuances combined
24 must not exceed \$47,500,000.

25 (4) The bonds are issued in accordance with this
26 Article.

1 (5) The proceeds of the bonds are used to accomplish
2 only those projects approved by the voters at an election
3 held on or after April 7, 2009.

4 The debt incurred on any bonds issued under this subsection
5 (p-55) ~~(p-45)~~ shall not be considered indebtedness for purposes
6 of any statutory debt limitation. Bonds issued under this
7 subsection (p-55) ~~(p-45)~~ must mature within not to exceed 30
8 years from their date, notwithstanding any other law to the
9 contrary.

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

15 (Source: P.A. 95-331, eff. 8-21-07; 95-594, eff. 9-10-07;
16 95-792, eff. 1-1-09; 96-63, eff. 7-23-09; 96-273, eff. 8-11-09;
17 96-517, eff. 8-14-09; revised 9-15-09.)

18 Section 10.The School Construction Law is amended by
19 changing Sections 5-25 and 5-35 as follows:

20 (105 ILCS 230/5-25)

21 Sec. 5-25. Eligibility and project standards.

22 (a) The State Board of Education shall establish
23 eligibility standards for school construction project grants
24 and debt service grants. These standards shall include minimum

1 enrollment requirements for eligibility for school
2 construction project grants of 200 students for elementary
3 districts, 200 students for high school districts, and 400
4 students for unit districts. The State Board of Education shall
5 approve a district's eligibility for a school construction
6 project grant or a debt service grant pursuant to the
7 established standards.

8 For purposes only of determining a Type 40 area vocational
9 center's eligibility for an entity included in a school
10 construction project grant or a school maintenance project
11 grant, an area vocational center shall be deemed eligible if
12 one or more of its member school districts satisfy the grant
13 index criteria set forth in this Law. A Type 40 area vocational
14 center that makes application for school construction funds
15 after August 25, 2009 (the effective date of Public Act 96-731)
16 ~~this amendatory Act of the 96th General Assembly~~ shall be
17 placed on the respective application cycle list. Type 40 area
18 vocational centers must be placed last on the priority listing
19 of eligible entities for the applicable fiscal year.

20 (b) The Capital Development Board shall establish project
21 standards for all school construction project grants provided
22 pursuant to this Article. These standards shall include space
23 and capacity standards as well as the determination of
24 recognized project costs that shall be eligible for State
25 financial assistance and enrichment costs that shall not be
26 eligible for State financial assistance.

1 (c) The State Board of Education and the Capital
2 Development Board shall not establish standards that
3 disapprove or otherwise establish limitations that restrict
4 the eligibility of (i) a school district ~~with a population~~
5 ~~exceeding 500,000~~ for a school construction project grant based
6 on the fact that any or all of the school construction project
7 grant will be used to pay debt service or to make lease
8 payments, as authorized by subsection (b) of Section 5-35 of
9 this Law, or (ii) a school district located in whole or in part
10 in a county that imposes a tax for school facility purposes
11 pursuant to Section 5-1006.7 of the Counties Code, or based on
12 the fact that all or a part of the school construction project
13 is owned by a public building commission and leased to the
14 school.

15 (Source: P.A. 96-37, eff. 7-13-09; 96-731, eff. 8-25-09;
16 revised 9-15-09.)

17 (105 ILCS 230/5-35)

18 Sec. 5-35. School construction project grant amounts;
19 permitted use; prohibited use.

20 (a) The product of the district's grant index and the
21 recognized project cost, as determined by the Capital
22 Development Board, for an approved school construction project
23 shall equal the amount of the grant the Capital Development
24 Board shall provide to the eligible district. The grant index
25 shall not be used in cases where the General Assembly and the

1 Governor approve appropriations designated for specifically
2 identified school district construction projects.

3 The average of the grant indexes of the member districts in
4 a joint agreement shall be used to calculate the amount of a
5 school construction project grant awarded to an eligible Type
6 40 area vocational center.

7 (b) In each fiscal year in which school construction
8 project grants are awarded, 20% of the total amount awarded
9 statewide shall be awarded to a school district with a
10 population exceeding 500,000, provided such district complies
11 with the provisions of this Article.

12 In addition to the uses otherwise authorized by this Law,
13 any school district ~~with a population exceeding 500,000~~ is
14 authorized to use any or all of the school construction project
15 grants (i) to pay debt service, as defined in the Local
16 Government Debt Reform Act, on bonds, as defined in the Local
17 Government Debt Reform Act, issued to finance one or more
18 school construction projects and (ii) to the extent that any
19 such bond is a lease or other installment or financing contract
20 between the school district and a public building commission
21 that has issued bonds to finance one or more qualifying school
22 construction projects, to make lease payments under the lease.

23 (c) No portion of a school construction project grant
24 awarded by the Capital Development Board shall be used by a
25 school district for any on-going operational costs.

26 (Source: P.A. 96-731, eff. 8-25-09.)"