



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0194

Introduced 1/23/2013, by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

New Act

Creates the Lincoln Promise Zone Act. Allows the city councils of Rockford, Aurora, and East St. Louis to each create a promise zone. Provides that the promise zone shall raise funds from private sources at least sufficient to provide each eligible student who resides within the promise zone and who graduates from a public high school located within that promise zone with the tuition necessary to obtain an associate degree or its equivalent at the local community college during the 2015-2016 and 2016-1017 academic years. Provides for the creation of a Lincoln Promise Zone Authority for the promise zone. Sets forth the membership of the Board of the Authority and the Authority's powers and duties. Requires the Authority to prepare and adopt a promise zone development plan. Creates a review committee to review promise zone development plans and their implementation. Requires the review committee to report to the General Assembly on all aspects of the Act's implementation on or before December 31, 2017. Abolishes the Authorities on January 31, 2018, and repeals the Act on January 31, 2018. Effective immediately.

LRB098 06322 NHT 36363 b

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 1. Short title. This Act may be cited as the
5 Lincoln Promise Zone Act.

6 Section 5. Definitions.

7 "Authority" means a Lincoln Promise Zone Authority created
8 under this Act.

9 "Board" means the Board of an Authority.

10 "Eligible entity" means the City of Rockford, the City of
11 Aurora, or the City of East St. Louis.

12 "Governing body" means the city council of the applicable
13 eligible entity.

14 "Promise of financial assistance" means a commitment by an
15 eligible entity to provide financial resources for a community
16 college education for the 2015-2016 and 2016-2017 academic
17 years to eligible students living in a promise zone who have
18 graduated from a public high school located within that promise
19 zone.

20 "Promise zone" means an area designated as a promise zone
21 by a governing body.

22 Section 10. Designation of a promise zone.

1 (a) If a governing body determines that it is necessary for
2 the best interests of the public to promote access to a
3 community college education, the governing body may, by
4 ordinance or resolution, declare its intention to establish a
5 promise zone.

6 (b) The governing body shall set a date for a public
7 hearing on the adoption of a proposed resolution establishing
8 the promise zone. Notice of the public hearing shall be
9 published twice in a newspaper of general circulation in the
10 eligible entity, not less than 20 or more than 40 days before
11 the date of the hearing. Notice of the hearing shall be posted
12 in at least 20 conspicuous and public places in the eligible
13 entity not less than 20 days before the hearing. The notice
14 shall state the date, time, and place of the hearing and shall
15 describe the proposed promise zone, the details of the promise
16 of financial assistance, and the criteria for eligibility to
17 receive that financial assistance.

18 (c) If the governing body of the eligible entity intends to
19 proceed with the establishment of the promise zone, the
20 governing body shall, by ordinance or resolution, establish a
21 promise zone.

22 Section 15. Promise Zone Authority; creation.

23 (a) If the governing body, by ordinance or resolution,
24 establishes the promise zone, the governing body shall, by
25 ordinance or resolution, create a Lincoln Promise Zone

1 Authority.

2 (b) For the City of Rockford and the City of Aurora, an
3 Authority shall be under the supervision and control of a Board
4 consisting of the mayor and 6 members appointed by the mayor,
5 with the advice and consent of the governing body, with 2 of
6 the 6 members being educators and 2 of the 6 members being
7 community business leaders. With respect to the City of East
8 St. Louis, an Authority shall be under the supervision and
9 control of a Board consisting of the mayor and (i) 2 members
10 who are educators appointed by the State Senator from the 57th
11 Legislative District, with the advice and consent of the
12 governing body; (ii) 2 members who are community business
13 leaders appointed by the State Senator from the 57th
14 Legislative District, with the advice and consent of the
15 governing body; and (iii) 2 members appointed by the mayor,
16 with the advice and consent of the governing body. Each member
17 of an Authority shall serve until the Authority is abolished
18 under Section 90 of this Act. An appointment to fill a vacancy
19 shall be made by the person who made the original appointment,
20 with the advice and consent of the governing body. Members of
21 the Board shall serve without compensation, but may be
22 reimbursed for actual and necessary expenses from funds the
23 Authority receives. The Chairperson of the Board shall be
24 elected by the Board.

25 Section 20. Powers of the Authority.

1 (a) An Authority is a public body corporate that may sue
2 and be sued in any court of this State. An Authority possesses
3 all of the powers necessary to carry out its purpose. The
4 enumeration of a power in this Act shall not be construed as a
5 limitation upon the general powers of the Authority.

6 (b) The Board may employ and fix the compensation of a
7 Director. The Director shall serve at the pleasure of the
8 Board. A member of the Board is not eligible to hold the
9 position of Director. Before beginning his or her duties, the
10 Director shall furnish bond by posting a bond in the sum
11 determined in the ordinance or resolution establishing the
12 Authority payable to the Authority for use and benefit of the
13 Authority, approved by the Board, and filed with the clerk of
14 the eligible entity. The premium on the bond shall be
15 considered an operating expense of the Authority, payable from
16 funds available to the Authority for expenses of operation. The
17 Director shall be the chief executive officer of the Authority.

18 (c) Subject to the approval of the Board, the Director
19 shall supervise and be responsible for implementing the promise
20 zone development plan established under Section 25 of this Act
21 and the performance of the functions of the Authority in the
22 manner authorized by this Act. The Director shall attend the
23 meetings of the Board and shall provide to the Board, the
24 governing body, and the chief executive officer of the eligible
25 entity a regular report covering the activities and financial
26 condition of the Authority. If the Director is absent or

1 disabled, the Board may designate a qualified person as Acting
2 Director to perform the duties of the office.

3 (d) The Board may employ and fix the compensation of a
4 Treasurer, who shall keep the financial records of the
5 Authority and who, together with the Director, shall approve
6 all vouchers for the expenditure of funds of the Authority. The
7 Treasurer shall perform all duties delegated to him or her by
8 the Board and shall furnish a bond in an amount prescribed by
9 the Board.

10 (e) The Board may employ and fix the compensation of a
11 Secretary, who shall maintain custody of the official seal and
12 of records, books, documents, or other papers not required to
13 be maintained by the Treasurer. The Secretary shall attend
14 meetings of the Board and keep a record of its proceedings and
15 shall perform other duties delegated by the Board.

16 (f) The Board may retain legal counsel to advise the Board
17 in the proper performance of its duties.

18 (g) The Board may employ other personnel considered
19 necessary by the Board.

20 (h) The Board may do any of the following:

21 (1) prepare an analysis of the community college
22 educational opportunities for the residents of the promise
23 zone;

24 (2) study and analyze the need for financial resources
25 to provide community college educational opportunities for
26 residents of the promise zone;

1 (3) acquire, by purchase or otherwise, on terms and
2 conditions and in a manner the Authority considers proper,
3 own, convey, or otherwise dispose of, or lease as lessor or
4 lessee land and other property, real or personal, or rights
5 or interests in the property that the Authority determines
6 is reasonably necessary to achieve the purposes of this Act
7 and grant or acquire licenses, easements, and options;

8 (4) fix, charge, and collect fees, rents, and charges
9 for the use of any facility, building, or property under
10 its control or any part of the facility, building, or
11 property;

12 (5) lease, in whole or in part, any facility, building,
13 or property under its control; or

14 (6) solicit and accept grants and donations of money,
15 property, labor, or other things of value from a private
16 source, except as otherwise prohibited by law.

17 Section 25. Promise zone development plan. A Lincoln
18 Promise Zone Authority created under Section 15 of this Act
19 shall prepare and adopt a promise zone development plan, which
20 shall include all of the following:

21 (1) A complete description of the proposed promise of
22 financial assistance. The proposed promise of financial
23 assistance shall include, without limitation, a promise of
24 financial assistance for the 2015-2016 and 2016-2017
25 academic years to all students residing within the promise

1 zone who graduate from a public high school located within
2 that promise zone to attend community college in the public
3 community college district where the eligible entity is
4 located. The proposed promise of financial assistance
5 shall, at a minimum, provide funding sufficient to provide
6 an eligible student the tuition necessary to obtain an
7 associate degree or its equivalent at the local community
8 college during the 2015-2016 and 2016-2017 academic years,
9 subject to any limitations authorized under this Section.
10 The proposed promise of financial assistance may also
11 authorize the expenditure of funds for educational
12 improvement activities designed to increase readiness for
13 postsecondary education at public schools located in the
14 promise zone.

15 (2) A complete description of any limitation on the
16 promise of financial assistance, including, but not
17 limited to, the following:

18 (A) whether the promise of financial assistance
19 will be prorated based on the number of years the
20 student has resided within the promise zone;

21 (B) whether the promise of financial assistance
22 will be restricted to students who have resided within
23 or attended a public high school within the promise
24 zone for a minimum number of years;

25 (C) whether the promise of financial assistance is
26 predicated on the student maintaining a minimum

1 college grade point average and carrying a minimum
2 college credit hour classload.

3 (3) A requirement that graduates of a public high
4 school exhaust all other known and available grants for
5 tuition and fees for postsecondary education provided by a
6 federal, State, or local governmental entity, as
7 determined by the Board.

8 (4) A description of how the funds necessary to
9 accomplish the promise of financial assistance will be
10 raised. The promise zone development plan shall be financed
11 from one or more of the following sources:

12 (A) private donations;

13 (B) money obtained from other private sources
14 approved by the governing body or otherwise authorized
15 by law; or

16 (C) interest or other investment income, earnings,
17 or proceeds from item (A) or (B) of this subdivision
18 (4).

19 (5) An actuarial model of how much the proposed plan is
20 estimated to cost.

21 The Board shall submit the promise zone development plan to
22 the review committee established under Section 35 of this Act
23 promptly after the plan's adoption. The promise zone
24 development plan shall be published on the Internet website of
25 the eligible entity that established the promise zone.

1 Section 30. Deposit and expenditure of moneys received by
2 the Authority. Moneys received by the Authority shall
3 immediately be deposited to the credit of the Authority,
4 subject to disbursement under this Act. The Authority shall not
5 expend more than 15% of its proposed annual budget for
6 administrative costs.

7 Section 35. Review committee.

8 (a) There is created a review committee consisting of the
9 following members:

10 (1) The Chairperson of the Senate's Higher Education
11 Committee.

12 (2) The Minority Spokesperson of the Senate's Higher
13 Education Committee.

14 (3) The Chairperson of the Senate's Education
15 Committee.

16 (4) The Chairperson of the House of Representative's
17 Higher Education Committee.

18 (5) The Minority Spokesperson of the House of
19 Representative's Higher Education Committee.

20 (6) The Chairperson of the House of Representative's
21 Elementary & Secondary Education Committee.

22 (7) One representative of the Illinois Student
23 Assistance Commission, appointed by the Chairman of the
24 Illinois Student Assistance Commission.

25 (8) One representative of the Board of Higher

1 Education, appointed by the Chairman of the Board of Higher
2 Education.

3 (9) One representative of the Illinois Community
4 College Board, appointed by the Chairman of the Illinois
5 Community College Board.

6 (b) The review committee shall review each promise zone
7 development plan submitted under Section 25 of this Act, as
8 well as the plan's implementation. An Authority must submit
9 such information as the review committee may request from time
10 to time.

11 (c) The review committee shall report to the General
12 Assembly on all aspects of this Act's implementation on or
13 before December 31, 2017.

14 Section 90. Abolishment of Authority; expiration of Act.

15 (a) An Authority created under this Act is abolished on
16 January 31, 2018.

17 (b) This Act is repealed on January 31, 2018.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.