



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2257

by Rep. David A. Welter

SYNOPSIS AS INTRODUCED:

105 ILCS 5/15-7.5 new
105 ILCS 5/15-18

from Ch. 122, par. 15-18

Amends the School Code. Provides that township land commissioners or trustees of schools that have title to any school real estate or lands may authorize by resolution the sale of common school lands to a government entity if two-thirds of the township land commissioners or trustees of schools approve the resolution. Provides that the regional superintendent of schools of the county in which the lands are located shall complete the sale and deliver a certificate of purchase to the government entity. Provides that a government entity that purchases common school lands, or its assigns, may obtain a copy of a certificate of purchase or patent by (1) for a certificate of purchase, filing an affidavit with the regional superintendent in which the lands are located proving the loss or destruction of the original; (2) for a patent, filing an affidavit with the Secretary of State proving loss or destruction of the original; and (3) presenting a copy of the certified resolution approving the sale that has been filed by the township land commissioners or trustees of schools with the county recorder of deeds to the regional superintendent or Secretary of State. Provides that the regional superintendent or the Secretary of State shall issue a replacement certificate or patent, which shall have the effect of the originals and shall reflect the effective date of the transfer of title as the date of the filing of the resolution by the township land commissioners or trustees of schools with the county recorder of deeds. Effective immediately.

LRB101 08513 AXK 53590 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 Section
5 15-7.5 and by changing Section 15-18 as follows:

6 (105 ILCS 5/15-7.5 new)

7 Sec. 15-7.5. Sale of common school lands to a government
8 entity. Notwithstanding Section 15-7, township land
9 commissioners or trustees of schools that have title to any
10 school real estate or lands may authorize by resolution the
11 sale of common school lands to a government entity. The
12 resolution shall include, but is not limited to, a declaration
13 that the lands are a surplus, pertinent information describing
14 the lands, and the terms of the sale. If two-thirds of the
15 township land commissioners or trustees of schools holding
16 office at the time of the proposed sale approve the resolution,
17 a certified copy of the resolution must be delivered to the
18 regional superintendent of schools of the county in which the
19 lands are located within a 7-day period. The regional
20 superintendent shall complete the sale and deliver to the
21 government entity a certificate of purchase under Section
22 15-16. Sections 15-8 through 15-13 do not apply to a sale under
23 this Section.

1 (105 ILCS 5/15-18) (from Ch. 122, par. 15-18)

2 Sec. 15-18. Copies of lost certificates or patents.

3 (a) Except as provided in subsection (b), purchasers
4 ~~Purchasers~~ of common school lands, and their heirs or assigns,
5 may obtain certified copies or certificates of purchase and
6 patents upon filing an affidavit with the county superintendent
7 in respect to certificates and with the Secretary of State in
8 respect to patents, proving the loss or destruction of the
9 originals, which copies shall have the effect of originals.

10 (b) A purchaser of common school lands, or its assigns,
11 under Section 15-7.5 may obtain a copy of a certificate of
12 purchase or patent by (i) for a certificate of purchase, filing
13 an affidavit with the regional superintendent of schools in
14 which the lands are located proving the loss or destruction of
15 the original; (ii) for a patent, filing an affidavit with the
16 Secretary of State proving loss or destruction of the original;
17 and (iii) presenting a copy of the certified resolution
18 approving the sale that has been filed by the township land
19 commissioners or trustees of schools with the county recorder
20 of deeds to the regional superintendent or Secretary of State.
21 Upon presentation of all required documents under this
22 subsection, the regional superintendent or the Secretary of
23 State shall issue a replacement certificate or patent, which
24 shall have the effect of the originals and shall reflect the
25 effective date of the transfer of title as the date of the

1 filing of the resolution by the township land commissioners or
2 trustees of schools with the county recorder of deeds.

3 (Source: Laws 1961, p. 31.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.