



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4522

Introduced 1/11/2006, by Rep. Jim Sacia

SYNOPSIS AS INTRODUCED:

105 ILCS 230/5-5
105 ILCS 230/5-25

Amends the School Construction Law. Defines "project labor agreement". Provides that the State Board of Education and the Capital Development Board shall not require a project labor agreement for any school construction project grant or debt service grant provided under the Law.

LRB094 16228 NHT 51472 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 5. The School Construction Law is amended by
5 changing Sections 5-5 and 5-25 as follows:

6 (105 ILCS 230/5-5)

7 Sec. 5-5. Definitions. As used in this Article:

8 "Approved school construction bonds" mean bonds that were
9 approved by referendum after January 1, 1996 but prior to
10 January 1, 1998 as provided in Sections 19-2 through 19-7 of
11 the School Code to provide funds for the acquisition,
12 development, construction, reconstruction, rehabilitation,
13 improvement, architectural planning, and installation of
14 capital facilities consisting of buildings, structures,
15 durable-equipment, and land for educational purposes.

16 "Grant index" means a figure for each school district equal
17 to one minus the ratio of the district's equalized assessed
18 valuation per pupil in average daily attendance to the
19 equalized assessed valuation per pupil in average daily
20 attendance of the district located at the 90th percentile for
21 all districts of the same category. For the purpose of
22 calculating the grant index, school districts are grouped into
23 2 categories, Category I and Category II. Category I consists
24 of elementary and unit school districts. The equalized assessed
25 valuation per pupil in average daily attendance of each school
26 district in Category I shall be computed using its grades
27 kindergarten through 8 average daily attendance figure. A unit
28 school district's Category I grant index shall be used for
29 projects or portions of projects constructed for elementary
30 school pupils. Category II consists of high school and unit
31 school districts. The equalized assessed valuation per pupil in
32 average daily attendance of each school district in Category II

1 shall be computed using its grades 9 through 12 average daily
2 attendance figure. A unit school district's Category II grant
3 index shall be used for projects or portions of projects
4 constructed for high school pupils. The changes made by this
5 amendatory Act of the 92nd General Assembly apply to all grants
6 made on or after the effective date of this amendatory Act,
7 provided that for grants not yet made on the effective date of
8 this amendatory Act but made in fiscal year 2001 and for grants
9 made in fiscal year 2002, the grant index for a school district
10 shall be the greater of (i) the grant index as calculated under
11 this Law on or after the effective date of this amendatory Act
12 or (ii) the grant index as calculated under this Law before the
13 effective date of this amendatory Act. The grant index shall be
14 no less than 0.35 and no greater than 0.75 for each district;
15 provided that the grant index for districts whose equalized
16 assessed valuation per pupil in average daily attendance is at
17 the 99th percentile and above for all districts of the same
18 type shall be 0.00.

19 "Project labor agreement" means a form of pre-hire
20 collective bargaining agreement covering all terms and
21 conditions of employment on a specific project that does any of
22 the following:

23 (1) sets forth mutually binding procedures for
24 resolving jurisdictional labor disputes and grievances
25 arising before the completion of work;

26 (2) contains guarantees against strikes, lockouts, or
27 similar actions;

28 (3) delineates sources of labor;

29 (4) provides employment guidelines for minorities and
30 women on the construction project;

31 (5) binds all contractors and subcontractors on the
32 public works project through the inclusion of appropriate
33 bid specifications in all relevant bid documents; or

34 (6) includes such other terms as the parties deem
35 appropriate.

36 "School construction project" means the acquisition,

1 development, construction, reconstruction, rehabilitation,
2 improvement, architectural planning, and installation of
3 capital facilities consisting of buildings, structures,
4 durable equipment, and land for educational purposes.

5 "School district" includes a cooperative high school,
6 which shall be considered a high school district for the
7 purpose of calculating its grant index.

8 "School maintenance project" means a project, other than a
9 school construction project, intended to provide for the
10 maintenance or upkeep of buildings or structures for
11 educational purposes, but does not include ongoing operational
12 costs.

13 (Source: P.A. 92-168, eff. 7-26-01; 93-1094, eff. 3-29-05.)

14 (105 ILCS 230/5-25)

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

16 (a) The State Board of Education shall establish
17 eligibility standards for school construction project grants
18 and debt service grants. These standards shall include minimum
19 enrollment requirements for eligibility for school
20 construction project grants of 200 students for elementary
21 districts, 200 students for high school districts, and 400
22 students for unit districts. The State Board of Education shall
23 approve a district's eligibility for a school construction
24 project grant or a debt service grant pursuant to the
25 established standards.

26 (b) The Capital Development Board shall establish project
27 standards for all school construction project grants provided
28 pursuant to this Article. These standards shall include space
29 and capacity standards as well as the determination of
30 recognized project costs that shall be eligible for State
31 financial assistance and enrichment costs that shall not be
32 eligible for State financial assistance.

33 (c) The State Board of Education and the Capital
34 Development Board shall not establish standards that
35 disapprove or otherwise establish limitations that restrict

1 the eligibility of a school district with a population
2 exceeding 500,000 for a school construction project grant based
3 on the fact that any or all of the school construction project
4 grant will be used to pay debt service or to make lease
5 payments, as authorized by subsection (b) of Section 5-35 of
6 this Law.

7 (d) The State Board of Education and the Capital
8 Development Board shall not require a project labor agreement
9 for any school construction project grant or debt service grant
10 provided under this Law.

11 (Source: P.A. 90-548, eff. 1-1-98; 91-38, eff. 6-15-99.)