



Elementary Secondary Education Committee

Filed: 2/17/2010

09600HB4711ham001

LRB096 14665 MJR 37123 a

1 AMENDMENT TO HOUSE BILL 4711

2 AMENDMENT NO. _____. Amend House Bill 4711 by replacing
3 everything after the enacting clause with the following:

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 unless a separate appropriation has been enacted
11 into law providing funding for the school year during which
12 such mandate is required.

13 (b) If the amount appropriated to fund a statutory or
14 regulatory mandate or requirement is insufficient to fully fund
15 the mandated activity, then the school district or private
16 school may choose to discontinue or modify the mandated

1 activity to ensure that the costs of compliance do not exceed
2 the funding received. Official action by the school board of a
3 school district or governing entity of a private school must
4 take place before the school district or private school may
5 discontinue or modify a mandated activity due to insufficient
6 funding from the State. If a school district or private school
7 discontinues or modifies a mandated activity due to
8 insufficient funding from the State, then the school district
9 or private school shall maintain a list of discontinued or
10 modified mandated activities. The list shall be provided to the
11 State Board of Education upon request.

12 (c) This Section does not apply to special education,
13 transportation, lunch programs, coursework required for high
14 school graduation, the health/life safety code, driver
15 education, curricula associated with Illinois learning
16 standards and State assessments, teacher certification
17 requirements, programs impacted by federal funding, laws
18 related to teacher tenure, evaluation, dismissal, or reduction
19 in force, locally negotiated contracts, and bilingual
20 education.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."