



Rep. Frank J. Mautino

Filed: 10/26/2011

09700HB0606ham002

LRB097 03426 RPM 59137 a

1 AMENDMENT TO HOUSE BILL 606

2 AMENDMENT NO. _____. Amend House Bill 606 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 7-11 as follows:

6 (105 ILCS 5/7-11) (from Ch. 122, par. 7-11)

7 Sec. 7-11. Annexation of dissolved non-operating
8 districts. If any school district has become dissolved as
9 provided in Section 5-32, or if a petition for dissolution is
10 filed under subsection (b) of Section 7-2a, the regional board
11 of school trustees shall attach the territory of such dissolved
12 district to one or more districts and, if the territory is
13 added to 2 or more districts, shall divide the property of the
14 dissolved district among the districts to which its territory
15 is added, in the manner provided for the division of property
16 in case of the organization of a new district from a part of

1 another district. The regional board of school trustees of the
2 region in which the regional superintendent has supervision
3 over the school district that is dissolved shall have all power
4 necessary to annex the territory of the dissolved district as
5 provided in this Section, including the power to attach the
6 territory to a school district under the supervision of the
7 regional superintendent of another educational service region
8 and, in the case of Leepertown CCSD 175, the power to attach
9 the territory to a non-contiguous school district if deemed in
10 the best interests of the schools of the area and the
11 educational welfare of the pupils involved. The annexation of
12 the territory of a dissolved school district under this Section
13 shall entitle the school districts involved in the annexation
14 to payments from the State Board of Education in the same
15 manner and to the same extent authorized in the case of other
16 annexations under this Article. Other provisions of this
17 Article 7 of The School Code shall apply to and govern
18 dissolutions and annexations under this Section and Section
19 7-2a, except that it is the intent of the General Assembly that
20 in the case of conflict the provisions of this Section and
21 Section 7-2a shall control over the other provisions of this
22 Article.

23 The regional board of school trustees shall give notice of
24 a hearing, to be held not less than 50 days nor more than 70
25 days after a school district is dissolved under Section 5-32 or
26 a petition is filed under subsection (b) of Section 7-2a, on

1 the disposition of the territory of such school district by
2 publishing a notice thereof at least once each week for 2
3 successive weeks in at least one newspaper having a general
4 circulation within the area of the territory involved. At such
5 hearing, the regional board of school trustees shall hear
6 evidence as to the school needs and conditions of the territory
7 and of the area within and adjacent thereto, and shall take
8 into consideration the educational welfare of the pupils of the
9 territory and the normal high school attendance pattern of the
10 children. In the case of an elementary school district, except
11 for Leepertown CCSD 175, if all the eighth grade graduates of
12 such district customarily attend high school in the same high
13 school district, the regional board of school trustees shall,
14 unless it be impossible because of the restrictions of a
15 special charter district, annex the territory of the district
16 to a contiguous elementary school district whose eighth grade
17 graduates customarily attend that high school, and that has an
18 elementary school building nearest to the center of the
19 territory to be annexed, but if such eighth grade graduates
20 customarily attend more than one high school the regional board
21 of school trustees shall determine the attendance pattern of
22 such graduates and divide the territory of the district among
23 the contiguous elementary districts whose graduates attend the
24 same respective high schools.

25 The decision of the regional board of school trustees in
26 such matter shall be issued within 10 days after the conclusion

1 of the hearing and deemed an "administrative decision" as
2 defined in Section 3-101 of the Code of Civil Procedure and any
3 resident who appears at the hearing or any petitioner may
4 within 10 days after a copy of the decision sought to be
5 reviewed was served by registered mail upon the party affected
6 thereby file a complaint for the judicial review of such
7 decision in accordance with the "Administrative Review Law",
8 and all amendments and modifications thereof and the rules
9 adopted pursuant thereto. The commencement of any action for
10 review shall operate as a stay of enforcement, and no further
11 proceedings shall be had until final disposition of such
12 review. The final decision of the regional board of school
13 trustees or of any court upon judicial review shall become
14 effective under Section 7-9 in the case of a petition for
15 dissolution filed under subsection (b) of Section 7-2a, and a
16 final decision shall become effective immediately following
17 the date no further appeal is allowable in the case of a
18 district dissolved under Section 5-32.

19 Notwithstanding the foregoing provisions of this Section
20 or any other provision of law to the contrary, the school board
21 of the Mt. Morris School District is authorized to donate to
22 the City of Mount Morris, Illinois the school building and
23 other real property used as a school site by the Mt. Morris
24 School District at the time of its dissolution, by appropriate
25 resolution adopted by the school board of the district prior to
26 the dissolution of the district; and upon the adoption of a

1 resolution by the school board donating the school building and
2 school site to the City of Mount Morris, Illinois as authorized
3 by this Section, the regional board of school trustees or other
4 school officials holding legal title to the school building and
5 school site so donated shall immediately convey the same to the
6 City of Mt. Morris, Illinois.

7 (Source: P.A. 94-1019, eff. 7-10-06.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law."