



Rep. Daniel Didech

**Filed: 4/24/2025**

10400SB2149ham001

LRB104 10509 LNS 25426 a

1 AMENDMENT TO SENATE BILL 2149

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2149 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 18-3 as follows:

6 (105 ILCS 5/18-3) (from Ch. 122, par. 18-3)

7 Sec. 18-3. Tuition of children from orphanages and  
8 children's homes. When the children from any home for orphans,  
9 dependent, abandoned or maladjusted children maintained by any  
10 organization or association admitting to such home children  
11 from the State in general or when children residing in a school  
12 district wherein the State of Illinois maintains and operates  
13 any welfare or penal institution on property owned by the  
14 State of Illinois, which contains houses, housing units or  
15 housing accommodations within a school district, attend grades  
16 kindergarten through 12 of the public schools maintained by

1 that school district, the State Superintendent of Education  
2 shall direct the State Comptroller to pay a specified amount  
3 sufficient to pay the annual tuition cost of such children who  
4 attended such public schools during the regular school year  
5 ending on June 30. The Comptroller shall pay the amount after  
6 receipt of a voucher submitted by the State Superintendent of  
7 Education.

8 The amount of the tuition for such children attending the  
9 public schools of the district shall be determined by the  
10 State Superintendent of Education by multiplying the number of  
11 such children in average daily attendance in such schools by  
12 1.2 times the total annual per capita cost of administering  
13 the schools of the district. Such total annual per capita cost  
14 shall be determined by totaling all expenses of the school  
15 district in the educational, operations and maintenance, bond  
16 and interest, transportation, Illinois municipal retirement,  
17 and rent funds for the school year preceding the filing of such  
18 tuition claims less expenditures not applicable to the regular  
19 K-12 program, less offsetting revenues from State sources  
20 except those from the common school fund, less offsetting  
21 revenues from federal sources except those from federal  
22 impaction aid, less student and community service revenues,  
23 plus a depreciation allowance; and dividing such total by the  
24 average daily attendance for the year. Notwithstanding any  
25 other provision of this Section, for any school district that  
26 (i) is designated as a Tier 1 or Tier 2 school district under

1 Section 18-8.15, (ii) has at least one school that is located  
2 on federal property, (iii) has an overall student population  
3 of no more than 4,500 students and no less than 2,500 students,  
4 and (iv) receives a federal Public Schools on Military  
5 Installations grant until June 30, 2030, the depreciation  
6 allowance shall exclude the following:

7 (1) Depreciation on the portion of a new school  
8 building that was constructed using federal or donated  
9 funds from the school district's capital projects fund.

10 (2) Depreciation on the portion of a new school  
11 building that was constructed with private funds and  
12 donated to the school district upon completion.

13 For those school buildings listed in paragraph (1) or (2),  
14 funds excluded from the depreciation allowance do not apply to  
15 expenses for maintenance and operations or future capital  
16 improvements that are paid from State or local aid revenue or  
17 any other non-excluded funds for the benefit of those school  
18 buildings.

19 Annually on or before June 15 the superintendent of the  
20 district shall certify to the State Superintendent of  
21 Education the following:

22 1. The name of the home and of the organization or  
23 association maintaining it; or the legal description of  
24 the real estate upon which the house, housing units, or  
25 housing accommodations are located and that no taxes or  
26 service charges or other payments authorized by law to be

1 made in lieu of taxes were collected therefrom or on  
2 account thereof during either of the calendar years  
3 included in the school year for which claim is being made;

4 2. The number of children from the home or living in  
5 such houses, housing units or housing accommodations and  
6 attending the schools of the district;

7 3. The total number of children attending the schools  
8 of the district;

9 4. The per capita tuition charge of the district; and

10 5. The computed amount of the tuition payment claimed  
11 as due.

12 Whenever the persons in charge of such home for orphans,  
13 dependent, abandoned or maladjusted children have received  
14 from the parent or guardian of any such child or by virtue of  
15 an order of court a specific allowance for educating such  
16 child, such persons shall pay to the school board in the  
17 district where the child attends school such amount of the  
18 allowance as is necessary to pay the tuition required by such  
19 district for the education of the child. If the allowance is  
20 insufficient to pay the tuition in full the State  
21 Superintendent of Education shall direct the Comptroller to  
22 pay to the district the difference between the total tuition  
23 charged and the amount of the allowance.

24 Whenever the facilities of a school district in which such  
25 house, housing units or housing accommodations are located,  
26 are limited, pupils may be assigned by that district to the

1 schools of any adjacent district to the limit of the  
2 facilities of the adjacent district to properly educate such  
3 pupils as shall be determined by the school board of the  
4 adjacent district, and the State Superintendent of Education  
5 shall direct the Comptroller to pay a specified amount  
6 sufficient to pay the annual tuition of the children so  
7 assigned to and attending public schools in the adjacent  
8 districts and the Comptroller shall draw his warrant upon the  
9 State Treasurer for the payment of such amount for the benefit  
10 of the adjacent school districts in the same manner as for  
11 districts in which the houses, housing units or housing  
12 accommodations are located.

13 Summer session costs shall be reimbursed based on the  
14 actual expenditures for providing these services. On or before  
15 November 1 of each year, the superintendent of each eligible  
16 school district shall certify to the State Superintendent of  
17 Education the claim of the district for the summer session  
18 following the regular school year just ended. The State  
19 Superintendent of Education shall transmit to the Comptroller  
20 no later than December 15th of each year vouchers for payment  
21 of amounts due to school districts for summer session.

22 Claims for tuition for children from any home for orphans  
23 or dependent, abandoned, or maladjusted children shall be paid  
24 on a current year basis. On September 30, December 31, and  
25 March 31, the State Board of Education shall voucher payments  
26 for districts with those students based on an estimated cost

1 calculated from the prior year's claim. The school district  
2 shall certify to the State Superintendent of Education the  
3 report of claims due for such tuition payments on or before  
4 June 15. Claims received by June 15 may be amended until August  
5 1. The State Superintendent of Education shall direct the  
6 State Comptroller to pay to the district, on or before August  
7 31, the amount due for the district for the school year in  
8 accordance with the calculation of the claim as set forth in  
9 this Section. However, notwithstanding any other provisions of  
10 this Section or the School Code, beginning with fiscal year  
11 1994 and each fiscal year thereafter, if the amount  
12 appropriated for any fiscal year is less than the amount  
13 required for purposes of this Section, the amount required to  
14 eliminate any insufficient reimbursement for each district  
15 claim under this Section shall be reimbursed on August 31 of  
16 the next fiscal year. Payments required to eliminate any  
17 insufficiency for prior fiscal year claims shall be made  
18 before any claims are paid for the current fiscal year.

19 If a school district makes a claim for reimbursement under  
20 Section 14-7.03 it shall not include in any claim filed under  
21 this Section children residing on the property of State  
22 institutions included in its claim under Section 14-7.03.

23 Any child who is not a resident of Illinois who is placed  
24 in a child welfare institution, private facility, State  
25 operated program, orphanage or children's home shall have the  
26 payment for his educational tuition and any related services

1 assured by the placing agent.

2 In order to provide services appropriate to allow a  
3 student under the legal guardianship or custodianship of the  
4 State to participate in local school district educational  
5 programs, costs may be incurred in appropriate cases by the  
6 district that are in excess of 1.2 times the district per  
7 capita tuition charge allowed under the provisions of this  
8 Section. In the event such excess costs are incurred, they  
9 must be documented in accordance with cost rules established  
10 under the authority of this Section and may then be claimed for  
11 reimbursement under this Section.

12 Planned services for students eligible for this funding  
13 must be a collaborative effort between the appropriate State  
14 agency or the student's group home or institution and the  
15 local school district.

16 (Source: P.A. 101-17, eff. 6-14-19.)".