

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 changing Sections
5 8-2 and 19-6 as follows:

6 (105 ILCS 5/8-2) (from Ch. 122, par. 8-2)

7 Sec. 8-2. Bond of treasurer. Before entering upon his
8 duties, each school treasurer shall execute a bond with ~~2 or~~
9 ~~more persons having an interest in real estate who are not~~
10 ~~trustees, or~~ a surety company authorized to do business in
11 this State, as sureties, payable to the township trustees of
12 schools in Class II county school units and to the school board
13 of each district for which he or she is treasurer or its
14 successors in office in Class I county school units and
15 conditioned upon the faithful discharge of his or her duties,
16 except that the bond required of the school treasurer of a
17 school district which is located in a Class II county school
18 unit but which no longer is subject to the jurisdiction and
19 authority of a township treasurer or trustees of schools of a
20 township because the district has withdrawn from the
21 jurisdiction and authority of the township treasurer and
22 trustees of schools of the township or because those offices
23 have been abolished as provided in subsection (b) or (c) of

1 Section 5-1 shall be payable to the school board of each
2 district for which he or she is treasurer or its successor in
3 office and conditioned upon the faithful discharge of his or
4 her duties. The penalty of the bond shall be determined by the
5 school board in an amount no less than 10% 25% of the amount of
6 all bonds, notes, mortgages, moneys and effects of which he is
7 to have the custody as measured on the final day of the school
8 district's most recent fiscal year, ~~whether individuals act as~~
9 ~~sureties or whether the surety given is by a surety company~~
10 ~~authorized to do business in this State, and shall be~~
11 ~~increased or decreased from time to time, as the increase or~~
12 ~~decrease of the amount of notes, bonds, mortgages, moneys and~~
13 ~~effects may require, and whenever in the judgment of the~~
14 ~~regional superintendent of schools, or whenever in the~~
15 ~~judgment of the township trustees or the school board of the~~
16 ~~district by which the school treasurer was appointed or~~
17 ~~elected, the penalty of the bond should be increased or~~
18 ~~decreased; provided that the penalty of the bond shall not be~~
19 ~~increased to more than 25% of the amount of all bonds, notes,~~
20 ~~mortgages, moneys and effects of which the treasurer has~~
21 ~~custody at any time.~~ The bond of the township treasurer shall
22 be approved by at least a majority of the township trustees in
23 Class II county school units; provided that in those school
24 districts that are located in a Class II county school unit but
25 are no longer subject to the jurisdiction and authority of a
26 township treasurer and trustees of schools of a township

1 (because the districts have withdrawn from the jurisdiction
2 and authority of the township treasurer and trustees of
3 schools of the township or because those offices have been
4 abolished as provided in subsection (b) or (c) of Section 5-1)
5 and in Class I county school units, the bond shall be approved
6 by at least a majority of the members of the school board; and
7 in all cases the bond shall be filed with the regional
8 superintendent of schools who shall file with the State Board
9 of Education before September 1 in each year an affidavit
10 showing which treasurers of school districts under his
11 supervision and control are properly bonded. The bond shall be
12 in the following form:

13 STATE OF ILLINOIS

14 COUNTY

15 We, AB, CD and EF, are obligated, jointly and severally,
16 to the (School Board of District No., or trustees of
17 township range) in the above mentioned county or
18 successors in office, in the penal sum of \$...., for the
19 payment of which we bind ourselves, our heirs, executors and
20 administrators.

21 Dated (insert date).

22 The condition of this obligation is such that if AB,
23 school treasurer in the above stated county, faithfully
24 discharges the duties of his or her office, according to law,
25 and delivers to his or her successor in office, after such
26 successor has qualified by giving bond as provided by law, all

1 moneys, books, papers, securities and control, which have come
 2 into his or her possession or control, as such school
 3 treasurer, from the date of his or her bond to the time that
 4 his or her successor has qualified as school treasurer, by
 5 giving such bond as required by law, then this obligation to be
 6 void; otherwise to remain in full force and effect.

7 Approved and accepted by:

8 A.... B.... (Signature)

9 C.... D.... (Signature)

10 E.... F.... (Signature)

11 G.... H.... (Signature)

12 I.... J.... (Signature)

13 K.... L.... (Signature)

14 (Board of Education or Board of
 15 Directors of District No.)

16 By

17 President Secretary or Clerk

18 or

19 Township Trustees)

20 No part of the State or other school fund shall be paid to
 21 any school treasurer or other persons authorized to receive it
 22 unless such treasurer has filed his or her bond, or if
 23 reelected, has renewed his or her bond and filed it as required
 24 by law.

25 (Source: P.A. 91-357, eff. 7-29-99.)

1 (105 ILCS 5/19-6) (from Ch. 122, par. 19-6)

2 Sec. 19-6. Bond money to school treasurer - Delivery of
3 bonds - Record - Payment. All moneys borrowed under the
4 authority of this Act, except money borrowed by school
5 districts having a population of more than 500,000
6 inhabitants, shall be paid to the school treasurer of the
7 district. The treasurer shall, before receiving any of the
8 money, execute a bond with ~~two or more persons having an~~
9 ~~interest in real estate, who shall not be trustees, or~~ a surety
10 company authorized to do business in this State, as surety,
11 payable to the school board of the district in Class I county
12 school units or township trustees in Class II county school
13 units and conditioned upon the faithful discharge of his
14 duties, except that the bond required of the school treasurer
15 of a school district which is located in a Class II county
16 school unit but which no longer is subject to the jurisdiction
17 and authority of a township treasurer or trustees of schools
18 of a township because the district has withdrawn from the
19 jurisdiction and authority of the township treasurer and
20 trustees of schools of the township or because those offices
21 have been abolished as provided in subsection (b) or (c) of
22 Section 5-1 shall be payable to the school board of such
23 district and conditioned upon the faithful discharge of his
24 duties. The bond shall be submitted for approval or rejection
25 to the school board of the district or to the township trustees
26 to which such bond is payable. The penalty of the bond or bonds

1 shall be an amount no less than 10% ~~25%~~ of the amount of such
2 bond issue, whether individuals act as surety or whether the
3 surety is given by a surety company authorized to transact
4 business in this State. The bond shall be in substantially the
5 same form as that required by Section 8-2 of this Act and when
6 so given shall fully describe the bond issue which it
7 specifically covers and shall remain in force until the funds
8 of the bond issue are taken into account in determining the
9 penalty amount for the surety bond required by Section 8-2 of
10 this Code ~~fully disbursed in accordance with the law~~. Upon
11 receiving such moneys the treasurer shall deliver the bonds
12 issued therefor to the persons entitled to receive them, and
13 shall credit the funds received to the district issuing the
14 bonds. The treasurer shall record the amount received for each
15 bond issued. When any bonds are paid the treasurer shall
16 cancel them and shall enter, against the record of the bonds,
17 the words, "paid and cancelled the day of, 1, "
18 filling the blanks with the day, month, and year corresponding
19 to the date of payment.

20 (Source: P.A. 89-212, eff. 8-4-95.)

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