



Rep. Janet Yang Rohr

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10300HB3523ham001

LRB103 29974 RJT 58928 a

1 AMENDMENT TO HOUSE BILL 3523

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3523 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing  
5 Sections 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

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4 township because the district has withdrawn from the  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

1 ~~mortgages, moneys and effects of which the treasurer has~~  
2 ~~e custody at any time.~~ The bond of the township treasurer shall  
3 be approved by at least a majority of the township trustees in  
4 Class II county school units; provided that in those school  
5 districts that are located in a Class II county school unit but  
6 are no longer subject to the jurisdiction and authority of a  
7 township treasurer and trustees of schools of a township  
8 (because the districts have withdrawn from the jurisdiction  
9 and authority of the township treasurer and trustees of  
10 schools of the township or because those offices have been  
11 abolished as provided in subsection (b) or (c) of Section 5-1)  
12 and in Class I county school units, the bond shall be approved  
13 by at least a majority of the members of the school board; and  
14 in all cases the bond shall be filed with the regional  
15 superintendent of schools who shall file with the State Board  
16 of Education before September 1 in each year an affidavit  
17 showing which treasurers of school districts under his  
18 supervision and control are properly bonded. The bond shall be  
19 in the following form:

20 STATE OF ILLINOIS

21 ..... COUNTY

22 We, AB, CD and EF, are obligated, jointly and severally,  
23 to the (School Board of District No. ...., or trustees of  
24 township .... range ....) in the above mentioned county or  
25 successors in office, in the penal sum of \$...., for the  
26 payment of which we bind ourselves, our heirs, executors and

1 administrators.

2 Dated (insert date).

3 The condition of this obligation is such that if AB,  
 4 school treasurer in the above stated county, faithfully  
 5 discharges the duties of his or her office, according to law,  
 6 and delivers to his or her successor in office, after such  
 7 successor has qualified by giving bond as provided by law, all  
 8 moneys, books, papers, securities and control, which have come  
 9 into his or her possession or control, as such school  
 10 treasurer, from the date of his or her bond to the time that  
 11 his or her successor has qualified as school treasurer, by  
 12 giving such bond as required by law, then this obligation to be  
 13 void; otherwise to remain in full force and effect.

14 Approved and accepted by:

15 A.... B.... (Signature)

16 C.... D.... (Signature)

17 E.... F.... (Signature)

18 G.... H.... (Signature)

19 I.... J.... (Signature)

20 K.... L.... (Signature)

21 (Board of Education or Board of

22 Directors of District No. ....

23 By ....

24 President Secretary or Clerk

25 or ....

26 .... Township Trustees)

1           No part of the State or other school fund shall be paid to  
2 any school treasurer or other persons authorized to receive it  
3 unless such treasurer has filed his or her bond, or if  
4 reelected, has renewed his or her bond and filed it as required  
5 by law.

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

7           (105 ILCS 5/19-6) (from Ch. 122, par. 19-6)

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

1 trustees of schools of the township or because those offices  
2 have been abolished as provided in subsection (b) or (c) of  
3 Section 5-1 shall be payable to the school board of such  
4 district and conditioned upon the faithful discharge of his  
5 duties. The bond shall be submitted for approval or rejection  
6 to the school board of the district or to the township trustees  
7 to which such bond is payable. The penalty of the bond or bonds  
8 shall be an amount no less than 10% ~~25%~~ of the amount of such  
9 bond issue, whether individuals act as surety or whether the  
10 surety is given by a surety company authorized to transact  
11 business in this State. The bond shall be in substantially the  
12 same form as that required by Section 8-2 of this Act and when  
13 so given shall fully describe the bond issue which it  
14 specifically covers and shall remain in force until the funds  
15 of the bond issue are taken into account in determining the  
16 penalty amount for the surety bond required by Section 8-2 of  
17 this Code ~~fully disbursed in accordance with the law~~. Upon  
18 receiving such moneys the treasurer shall deliver the bonds  
19 issued therefor to the persons entitled to receive them, and  
20 shall credit the funds received to the district issuing the  
21 bonds. The treasurer shall record the amount received for each  
22 bond issued. When any bonds are paid the treasurer shall  
23 cancel them and shall enter, against the record of the bonds,  
24 the words, "paid and cancelled the .... day of ....., 1 ....., "  
25 filling the blanks with the day, month, and year corresponding  
26 to the date of payment.

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

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law."