



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1798

Introduced 2/9/2023, by Sen. Jil Tracy

#### SYNOPSIS AS INTRODUCED:

105 ILCS 230/5-25

Amends the School Construction Law. Provides that the eligibility standards for school construction project grants shall not include minimum enrollment requirements (instead of including minimum enrollment requirements for eligibility for school construction project grants of 200 students for elementary districts, 200 students for high school districts, and 400 students for unit districts). Removes provisions concerning the total enrollment of member districts forming a cooperative high school. Effective immediately.

LRB103 26372 RJT 52734 b

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 Construction Law is amended by  
5 changing Section 5-25 as follows:

6 (105 ILCS 230/5-25)

7 Sec. 5-25. Eligibility and project standards.

8 (a) The State Board of Education shall establish  
9 eligibility standards for school construction project grants.  
10 These standards shall not include minimum enrollment  
11 requirements for eligibility for school construction project  
12 grants ~~of 200 students for elementary districts, 200 students~~  
13 ~~for high school districts, and 400 students for unit~~  
14 ~~districts. The total enrollment of member districts forming a~~  
15 ~~cooperative high school in accordance with subsection (c) of~~  
16 ~~Section 10-22.22 of the School Code shall meet the minimum~~  
17 ~~enrollment requirements specified in this subsection (a).~~ The  
18 State Board of Education shall approve a district's  
19 eligibility for a school construction project grant pursuant  
20 to the established standards.

21 A Type 40 area vocational center that makes application  
22 for school construction funds after August 25, 2009 (the  
23 effective date of Public Act 96-731) shall be placed on the

1       respective application cycle list. Type 40 area vocational  
2       centers must be placed last on the priority listing of  
3       eligible entities for the applicable fiscal year.

4           (b) The Capital Development Board shall establish project  
5       standards for all school construction project grants provided  
6       pursuant to this Article. These standards shall include space  
7       and capacity standards as well as the determination of  
8       recognized project costs that shall be eligible for State  
9       financial assistance and enrichment costs that shall not be  
10      eligible for State financial assistance.

11          (c) The State Board of Education and the Capital  
12      Development Board shall not establish standards that  
13      disapprove or otherwise establish limitations that restrict  
14      the eligibility of (i) a school district with a population  
15      exceeding 500,000 for a school construction project grant  
16      based on the fact that any or all of the school construction  
17      project grant will be used to pay debt service or to make lease  
18      payments, as authorized by subsection (b) of Section 5-35 of  
19      this Law, (ii) a school district located in whole or in part in  
20      a county that imposes a tax for school facility or resources  
21      purposes pursuant to Section 5-1006.7 of the Counties Code, or  
22      (iii) a school district that (1) was organized prior to 1860  
23      and (2) is located in part in a city originally incorporated  
24      prior to 1840, based on the fact that all or a part of the  
25      school construction project is owned by a public building  
26      commission and leased to the school district or the fact that

1 any or all of the school construction project grant will be  
2 used to pay debt service or to make lease payments.

3 (d) (Blank).

4 (Source: P.A. 101-455, eff. 8-23-19; 102-723, eff. 5-6-22.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.