

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 Section
5 19-3 as follows:

6 (105 ILCS 5/19-3) (from Ch. 122, par. 19-3)

7 Sec. 19-3. Boards of education. Any school district
8 governed by a board of education and having a population of not
9 more than 500,000 inhabitants, and not governed by a special
10 Act may borrow money for the purpose of building, equipping,
11 altering or repairing school buildings or purchasing or
12 improving school sites, or acquiring and equipping
13 playgrounds, recreation grounds, athletic fields, and other
14 buildings or land used or useful for school purposes or for the
15 purpose of purchasing a site, with or without a building or
16 buildings thereon, or for the building of a house or houses on
17 such site, or for the building of a house or houses on the
18 school site of the school district, for residential purposes of
19 the superintendent, principal, or teachers of the school
20 district, and issue its negotiable coupon bonds therefor signed
21 by the president and secretary of the board, in denominations
22 of not less than \$100 nor more than \$5,000, payable at such
23 place and at such time or times, not exceeding 20 years from

1 date of issuance, as the board of education may prescribe, and
2 bearing interest at a rate not to exceed the maximum rate
3 authorized by the Bond Authorization Act, as amended at the
4 time of the making of the contract, payable annually,
5 semiannually or quarterly, but no such bonds shall be issued
6 unless the proposition to issue them is submitted to the voters
7 of the district at a referendum held at a regularly scheduled
8 election after the board has certified the proposition to the
9 proper election authorities in accordance with the general
10 election law, a majority of all the votes cast on the
11 proposition is in favor of the proposition, and notice of such
12 bond referendum has been given either (i) in accordance with
13 the second paragraph of Section 12-1 of the Election Code
14 irrespective of whether such notice included any reference to
15 the public question as it appeared on the ballot, or (ii) for
16 an election held on or after November 1, 1998, in accordance
17 with Section 12-5 of the Election Code, or (iii) by publication
18 of a true and legible copy of the specimen ballot label
19 containing the proposition in the form in which it appeared or
20 will appear on the official ballot label on the day of the
21 election at least 5 days before the day of the election in at
22 least one newspaper published in and having a general
23 circulation in the district, irrespective of any other
24 requirements of Article 12 or Section 24A-18 of the Election
25 Code, nor shall any residential site be acquired unless such
26 proposition to acquire a site is submitted to the voters of the

1 district at a referendum held at a regularly scheduled election
2 after the board has certified the proposition to the proper
3 election authorities in accordance with the general election
4 law and a majority of all the votes cast on the proposition is
5 in favor of the proposition. Nothing in this Act or in any
6 other law shall be construed to require the notice of the bond
7 referendum to be published over the name or title of the
8 election authority or the listing of maturity dates of any
9 bonds either in the notice of bond election or ballot used in
10 the bond election. The provisions of this Section concerning
11 notice of the bond referendum apply only to (i) consolidated
12 primary elections held prior to January 1, 2002 and the
13 consolidated election held on April 17, 2007 at which not less
14 than 60% of the voters voting on the bond proposition voted in
15 favor of the bond proposition, and (ii) other elections held
16 before July 1, 1999; otherwise, notices required in connection
17 with the submission of public questions shall be as set forth
18 in Section 12-5 of the Election Code. Such proposition may be
19 initiated by resolution of the school board.

20 With respect to instruments for the payment of money issued
21 under this Section either before, on, or after the effective
22 date of this amendatory Act of 1989, it is and always has been
23 the intention of the General Assembly (i) that the Omnibus Bond
24 Acts are and always have been supplementary grants of power to
25 issue instruments in accordance with the Omnibus Bond Acts,
26 regardless of any provision of this Act that may appear to be

1 or to have been more restrictive than those Acts, (ii) that the
2 provisions of this Section are not a limitation on the
3 supplementary authority granted by the Omnibus Bond Acts, and
4 (iii) that instruments issued under this Section within the
5 supplementary authority granted by the Omnibus Bond Acts are
6 not invalid because of any provision of this Act that may
7 appear to be or to have been more restrictive than those Acts.

8 The proceeds of any bonds issued under authority of this
9 Section shall be deposited and accounted for separately within
10 the Site and Construction/Capital Improvements Fund.

11 (Source: P.A. 91-57, eff. 6-30-99; 92-6, eff. 6-7-01.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.