



Sen. James F. Clayborne Jr.

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09500SB0849sam001

LRB095 05576 NHT 37662 a

1 AMENDMENT TO SENATE BILL 849

2 AMENDMENT NO. _____. Amend Senate Bill 849 by replacing
3 everything after the enacting clause with the following:

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

1 such site, or for the building of a house or houses on the
2 school site of the school district, for residential purposes of
3 the superintendent, principal, or teachers of the school
4 district, and issue its negotiable coupon bonds therefor signed
5 by the president and secretary of the board, in denominations
6 of not less than \$100 nor more than \$5,000, payable at such
7 place and at such time or times, not exceeding 20 years from
8 date of issuance, as the board of education may prescribe, and
9 bearing interest at a rate not to exceed the maximum rate
10 authorized by the Bond Authorization Act, as amended at the
11 time of the making of the contract, payable annually,
12 semiannually or quarterly, but no such bonds shall be issued
13 unless the proposition to issue them is submitted to the voters
14 of the district at a referendum held at a regularly scheduled
15 election after the board has certified the proposition to the
16 proper election authorities in accordance with the general
17 election law, a majority of all the votes cast on the
18 proposition is in favor of the proposition, and notice of such
19 bond referendum has been given either (i) in accordance with
20 the second paragraph of Section 12-1 of the Election Code
21 irrespective of whether such notice included any reference to
22 the public question as it appeared on the ballot, or (ii) for
23 an election held on or after November 1, 1998, in accordance
24 with Section 12-5 of the Election Code, or (iii) by publication
25 of a true and legible copy of the specimen ballot label
26 containing the proposition in the form in which it appeared or

1 will appear on the official ballot label on the day of the
2 election at least 5 days before the day of the election in at
3 least one newspaper published in and having a general
4 circulation in the district, irrespective of any other
5 requirements of Article 12 or Section 24A-18 of the Election
6 Code, nor shall any residential site be acquired unless such
7 proposition to acquire a site is submitted to the voters of the
8 district at a referendum held at a regularly scheduled election
9 after the board has certified the proposition to the proper
10 election authorities in accordance with the general election
11 law and a majority of all the votes cast on the proposition is
12 in favor of the proposition. Nothing in this Act or in any
13 other law shall be construed to require the notice of the bond
14 referendum to be published over the name or title of the
15 election authority or the listing of maturity dates of any
16 bonds either in the notice of bond election or ballot used in
17 the bond election. The provisions of this Section concerning
18 notice of the bond referendum apply only to (i) consolidated
19 primary elections held prior to January 1, 2002 and the
20 consolidated election held on April 17, 2007 at which not less
21 than 60% of the voters voting on the bond proposition voted in
22 favor of the bond proposition, and (ii) other elections held
23 before July 1, 1999; otherwise, notices required in connection
24 with the submission of public questions shall be as set forth
25 in Section 12-5 of the Election Code. Such proposition may be
26 initiated by resolution of the school board.

1 With respect to instruments for the payment of money issued
2 under this Section either before, on, or after the effective
3 date of this amendatory Act of 1989, it is and always has been
4 the intention of the General Assembly (i) that the Omnibus Bond
5 Acts are and always have been supplementary grants of power to
6 issue instruments in accordance with the Omnibus Bond Acts,
7 regardless of any provision of this Act that may appear to be
8 or to have been more restrictive than those Acts, (ii) that the
9 provisions of this Section are not a limitation on the
10 supplementary authority granted by the Omnibus Bond Acts, and
11 (iii) that instruments issued under this Section within the
12 supplementary authority granted by the Omnibus Bond Acts are
13 not invalid because of any provision of this Act that may
14 appear to be or to have been more restrictive than those Acts.

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

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

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."