



Rep. Michael K. Smith

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LRB096 08010 MJR 29815 a

1 AMENDMENT TO SENATE BILL 226

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 226, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The School Code is amended by changing Section  
6 7-2b as follows:

7 (105 ILCS 5/7-2b) (from Ch. 122, par. 7-2b)

8 Sec. 7-2b. Annexation of non-coterminous territory from an  
9 elementary or high school district.

10 (a) Any contiguous portion of a high school district that  
11 constitutes 5% or less of the equalized assessed value of the  
12 district and 5% or less of the territory of the district shall  
13 upon petition of two-thirds of the registered voters of the  
14 territory proposed to be detached and annexed be so detached  
15 and annexed by the regional board of school trustees if  
16 granting such petition shall make the affected segment of the

1 boundaries of the high school district the territory is  
2 proposed to be annexed to identical, for the entirety of such  
3 affected segment, to the boundaries of the elementary school  
4 district in which the territory is located.

5 Any contiguous portion of an elementary school district  
6 that constitutes 5% or less of the equalized assessed value of  
7 the district and 5% or less of the territory of the district  
8 shall upon petition of two-thirds of the registered voters of  
9 the territory proposed to be detached and annexed be so  
10 detached and annexed by the regional board of school trustees  
11 if granting such petition shall make the affected segment of  
12 the boundaries of the elementary school district the territory  
13 is proposed to be annexed to identical, for the entirety of  
14 such affected segment, to the boundaries of the high school  
15 district in which the territory is located.

16 The regional board of school trustees shall have no  
17 authority or discretion to hear any evidence or consider any  
18 issues except those that may be necessary to determine whether  
19 the limitations and conditions of this Section have been met.

20 No district may lose more than 5% of its equalized assessed  
21 value or more than 5% of its territory through petitions filed  
22 under this Section. If a petition seeks to detach territory  
23 that would result in a cumulative total of more than 5% of a  
24 district's equalized assessed value or more than 5% of the  
25 district's territory being detached under this Section, the  
26 petition shall be denied without prejudice to its being filed

1 pursuant to Section 7-6 of this Code. Notwithstanding any other  
2 provision of this Section, this paragraph shall apply to any  
3 detachments effected pursuant to the provisions of this Section  
4 as they existed prior to the effective date of this amendatory  
5 Act of the 91st General Assembly.

6 (b) At any time prior to the granting of the petition  
7 calling for the detachment and annexation of non-coterminous  
8 territory under this Section, the Committee of Ten designated  
9 in the petition may amend the petition to withdraw the  
10 detachment and annexation proposal and substitute in its place  
11 a proposal to require the school district from which the  
12 territory would have been detached to pay the per capita  
13 tuition costs for each pupil residing in the non-coterminous  
14 territory to attend the school district to which the territory  
15 would have been annexed. If such amended petition is granted,  
16 the school district from which the territory would have been  
17 detached shall pay to the school district to which the  
18 territory would have been annexed the per capita tuition costs  
19 as determined under Section 10-20.12a for each pupil residing  
20 in the territory who chooses to attend the school district to  
21 which the territory would have been annexed. Notwithstanding  
22 the provisions of Section 10-22.5, the school district to which  
23 the territory would have been annexed shall admit any pupil  
24 that resides in the non-coterminous territory and provide such  
25 pupils with any services of the school. The payment and  
26 collection of tuition and any other such matters as may need to

1 be resolved shall be established by an intergovernmental  
2 agreement developed between the two affected school districts.  
3 Section 7-6 of this Code shall apply to petitions filed under  
4 this Section except as otherwise provided in this Section.

5 The changes made by this amendatory Act of the 91st General  
6 Assembly shall not apply to petitions pending on the effective  
7 date of this amendatory Act of the 91st General Assembly.

8 (c) If a territory seeks to detach from a school district  
9 and it (1) does not have a regional board of school trustees  
10 and (2) does not have a township school trustee, then a  
11 petition for detachment must be filed with, and the hearing  
12 handled by, the members of the State Board of Education. The  
13 Board shall follow the same procedure for detachment, as  
14 specified in this Article, as a regional board of school  
15 trustees or township school trustee.

16 (Source: P.A. 91-46, eff. 6-30-99.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law."