



Sen. Martin A. Sandoval

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09900HB2416sam001

LRB099 09149 SXM 36346 a

1 AMENDMENT TO HOUSE BILL 2416

2 AMENDMENT NO. _____. Amend House Bill 2416 on page 5, by
3 replacing lines 10 through 26 with the following:

4 "Notwithstanding subsections (a) and (c) of this Section,
5 the school board of Lyons Township High School District 204
6 may, by resolution, withdraw from the jurisdiction and
7 authority of the trustees of schools of Lyons Township and the
8 township treasurer, provided that the school board shall, upon
9 the adoption of the resolution, elect or appoint its own school
10 treasurer as provided in Section 8-1 of this Code and give
11 written notice of the same to the township treasurer.
12 Commencing with the first day of the next fiscal year following
13 adoption of the resolution and giving written notice but not
14 prior to July 1, 2016: (1) the trustees of schools in the
15 township shall no longer have or exercise any powers or duties
16 with respect to the school district or with respect to the
17 school business, operations, or assets of the school district;
18 (2) all books and records of the trustees of schools and all

1 moneys, securities, loanable funds, and other assets in the
2 custody of the township treasurer and determined by the
3 township treasurer to be relating to the school business and
4 affairs of the school district, except as noted in this
5 paragraph, shall be transferred and delivered to the school
6 board; and (3) all legal title to and all right, title, and
7 interest formerly held by the trustees of schools in any common
8 school lands, school buildings, or school sites used and
9 occupied by the school board and all rights of property and
10 causes of action pertaining to or constituting a part of the
11 common school lands, buildings, or sites shall be deemed
12 transferred by operation of law to and shall vest in the school
13 board. The changes made to this Section by this amendatory Act
14 of the 99th General Assembly are prospective only, starting
15 from the effective date of this amendatory Act of the 99th
16 General Assembly, and shall not affect any legal action pending
17 on the effective date of this amendatory Act of the 99th
18 General Assembly in the Illinois courts in which Lyons Township
19 High School District 204 is a listed party. On the last day of
20 the fiscal year in which the required notice is provided, the
21 township treasurer shall, before transfer of the contents
22 listed under item (2) of this paragraph, set aside from those
23 contents and hold as a separate fund the sum of \$6,500,000.
24 This fund shall be held and applied against: (a) the claims set
25 forth in the case of Township Trustees of Schools Township 38
26 North, Range 12 East v. Lyons Township High School District No.

1 204 case N. 13 CH 23386 pending in the Circuit Court of Cook
2 County, Illinois, County Department, Chancery Division; (b)
3 any unpaid pro-rata share of expenses of the township
4 treasurer's office and the township treasurer's compensation
5 incurred subsequent to the litigation referenced in item (a)
6 which is properly allocable to and owed by Lyons Township High
7 School District 204; (c) the expenses related to any
8 terminations or early retirement of staff from the township
9 treasurer's office which result from this amendatory Act of the
10 99th General Assembly as determined by the township treasurer;
11 and (d) the expenses of liquidating assets in order to make the
12 payment under item (2) of this paragraph as determined by the
13 township treasurer. The pro-rata share assigned to Lyons
14 Township High School District 204, prior to the transfer
15 contemplated in item (2) of this paragraph, shall be the
16 percentage as determined under Section 8-5 of the Code;
17 subsequent to that date, it shall be 25%. Any funds remaining
18 after application of items (a) through (d) will be paid over to
19 the school treasurer of Lyons Township High School District
20 204. For a period of 20 years after the effective date of this
21 amendatory Act of the 99th General Assembly, Lyons Township
22 High School District 204 shall not provide any services
23 provided by the township treasurer's office to any other school
24 district or educational agency if the township treasurer's
25 office has not ceased providing those services to any other
26 school district or educational agency."; and

1 on page 6, by deleting lines 1 through 14.