



Sen. John J. Cullerton

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1 AMENDMENT TO SENATE BILL 316

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 316, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Property Tax Code is amended by changing  
6 Sections 18-185, 18-190, 18-205, 18-213, and 18-214 and by  
7 adding Section 18-242 as follows:

8 (35 ILCS 200/18-185)

9 Sec. 18-185. Short title; definitions. This Division 5 may  
10 be cited as the Property Tax Extension Limitation Law. As used  
11 in this Division 5:

12 "Consumer Price Index" means the Consumer Price Index for  
13 All Urban Consumers for all items published by the United  
14 States Department of Labor.

15 "Extension limitation", except as otherwise provided in  
16 this paragraph, means (a) the lesser of 5% or the percentage

1 increase in the Consumer Price Index during the 12-month  
2 calendar year preceding the levy year or (b) the rate of  
3 increase approved by voters under Section 18-205. For the 2016  
4 levy year only, "extension limitation" means (i) for each  
5 taxing district having the majority of its 2015 equalized  
6 assessed value outside of Cook County, 0% or the rate of  
7 increase approved by the voters under Section 18-205 and (ii)  
8 for each taxing district having the majority of its 2015  
9 equalized assessed value within Cook County, (a) the lesser of  
10 5% or the percentage increase in the Consumer Price Index  
11 during the 12-month calendar year preceding the levy year or  
12 (b) the rate of increase approved by voters under Section  
13 18-205. For the 2017 levy year only, "extension limitation"  
14 means 0% or the rate of increase approved by the voters under  
15 Section 18-205. For the 2018 levy year only, "extension  
16 limitation" means (i) for each taxing district having the  
17 majority of its 2015 equalized assessed value within Cook  
18 County, 0% or the rate of increase approved by the voters under  
19 Section 18-205 and (ii) for each taxing district having the  
20 majority of its 2015 equalized assessed value outside of Cook  
21 County, (a) the lesser of 5% or the percentage increase in the  
22 Consumer Price Index during the 12-month calendar year  
23 preceding the levy year or (b) the rate of increase approved by  
24 voters under Section 18-205.

25 "Affected county" means a county of 3,000,000 or more  
26 inhabitants or a county contiguous to a county of 3,000,000 or

1 more inhabitants.

2 "Taxing district" has the same meaning provided in Section  
3 1-150, except as otherwise provided in this Section. For the  
4 1991 through 1994 levy years only, "taxing district" includes  
5 only each non-home rule taxing district having the majority of  
6 its 1990 equalized assessed value within any county or counties  
7 contiguous to a county with 3,000,000 or more inhabitants.  
8 Beginning with the 1995 levy year and through the 2015 levy  
9 year, and beginning again with the 2019 levy year, "taxing  
10 district" includes only each non-home rule taxing district  
11 subject to this Law before the 1995 levy year and each non-home  
12 rule taxing district not subject to this Law before the 1995  
13 levy year having the majority of its 1994 equalized assessed  
14 value in an affected county or counties. Beginning with the  
15 levy year in which this Law becomes applicable to a taxing  
16 district as provided in Section 18-213, "taxing district" also  
17 includes those taxing districts made subject to this Law as  
18 provided in Section 18-213. For the 2016 levy year, "taxing  
19 district" includes only: (1) each taxing district that (A) has  
20 the majority of its 2015 equalized assessed value within Cook  
21 County and (B) was subject to this Law in the 2015 levy year,  
22 and (2) each taxing district, as defined in Section 1-150, that  
23 has the majority of its 2015 equalized assessed value outside  
24 of Cook County, including home rule units having the majority  
25 of their 2015 equalized assessed value outside of Cook County.  
26 For the 2017 levy year, "taxing district" has the same meaning

1 provided in Section 1-150, and includes home rule units. For  
2 the 2018 levy year, "taxing district" includes only: (1) each  
3 taxing district subject to this Law during the 2015 levy year,  
4 (2) each home rule and non-home rule taxing district that has  
5 the majority of its 2015 equalized assessed value within Cook  
6 County, and (3) those taxing districts made subject to this Law  
7 as provided in Section 18-213.

8 "Aggregate extension" for taxing districts to which this  
9 Law applied before the 1995 levy year means the annual  
10 corporate extension for the taxing district and those special  
11 purpose extensions that are made annually for the taxing  
12 district, excluding special purpose extensions: (a) made for  
13 the taxing district to pay interest or principal on general  
14 obligation bonds that were approved by referendum; (b) made for  
15 any taxing district to pay interest or principal on general  
16 obligation bonds issued before October 1, 1991; (c) made for  
17 any taxing district to pay interest or principal on bonds  
18 issued to refund or continue to refund those bonds issued  
19 before October 1, 1991; (d) made for any taxing district to pay  
20 interest or principal on bonds issued to refund or continue to  
21 refund bonds issued after October 1, 1991 that were approved by  
22 referendum; (e) made for any taxing district to pay interest or  
23 principal on revenue bonds issued before October 1, 1991 for  
24 payment of which a property tax levy or the full faith and  
25 credit of the unit of local government is pledged; however, a  
26 tax for the payment of interest or principal on those bonds

1 shall be made only after the governing body of the unit of  
2 local government finds that all other sources for payment are  
3 insufficient to make those payments; (f) made for payments  
4 under a building commission lease when the lease payments are  
5 for the retirement of bonds issued by the commission before  
6 October 1, 1991, to pay for the building project; (g) made for  
7 payments due under installment contracts entered into before  
8 October 1, 1991; (h) made for payments of principal and  
9 interest on bonds issued under the Metropolitan Water  
10 Reclamation District Act to finance construction projects  
11 initiated before October 1, 1991; (i) made for payments of  
12 principal and interest on limited bonds, as defined in Section  
13 3 of the Local Government Debt Reform Act, in an amount not to  
14 exceed the debt service extension base less the amount in items  
15 (b), (c), (e), and (h) of this definition for non-referendum  
16 obligations, except obligations initially issued pursuant to  
17 referendum; (j) made for payments of principal and interest on  
18 bonds issued under Section 15 of the Local Government Debt  
19 Reform Act; (k) made by a school district that participates in  
20 the Special Education District of Lake County, created by  
21 special education joint agreement under Section 10-22.31 of the  
22 School Code, for payment of the school district's share of the  
23 amounts required to be contributed by the Special Education  
24 District of Lake County to the Illinois Municipal Retirement  
25 Fund under Article 7 of the Illinois Pension Code; the amount  
26 of any extension under this item (k) shall be certified by the

1 school district to the county clerk; (l) made to fund expenses  
2 of providing joint recreational programs for the handicapped  
3 under Section 5-8 of the Park District Code or Section 11-95-14  
4 of the Illinois Municipal Code; (m) made for temporary  
5 relocation loan repayment purposes pursuant to Sections 2-3.77  
6 and 17-2.2d of the School Code; (n) made for payment of  
7 principal and interest on any bonds issued under the authority  
8 of Section 17-2.2d of the School Code; (o) made for  
9 contributions to a firefighter's pension fund created under  
10 Article 4 of the Illinois Pension Code, to the extent of the  
11 amount certified under item (5) of Section 4-134 of the  
12 Illinois Pension Code; ~~and~~ (p) made for road purposes in the  
13 first year after a township assumes the rights, powers, duties,  
14 assets, property, liabilities, obligations, and  
15 responsibilities of a road district abolished under the  
16 provisions of Section 6-133 of the Illinois Highway Code; and  
17 (q) for the 2016 and 2017 levy years, made for public safety  
18 purposes.

19 "Aggregate extension" for the taxing districts to which  
20 this Law did not apply before the 1995 levy year (except taxing  
21 districts subject to this Law in accordance with Section 18-213  
22 or this amendatory Act of the 99th General Assembly) means the  
23 annual corporate extension for the taxing district and those  
24 special purpose extensions that are made annually for the  
25 taxing district, excluding special purpose extensions: (a)  
26 made for the taxing district to pay interest or principal on

1 general obligation bonds that were approved by referendum; (b)  
2 made for any taxing district to pay interest or principal on  
3 general obligation bonds issued before March 1, 1995; (c) made  
4 for any taxing district to pay interest or principal on bonds  
5 issued to refund or continue to refund those bonds issued  
6 before March 1, 1995; (d) made for any taxing district to pay  
7 interest or principal on bonds issued to refund or continue to  
8 refund bonds issued after March 1, 1995 that were approved by  
9 referendum; (e) made for any taxing district to pay interest or  
10 principal on revenue bonds issued before March 1, 1995 for  
11 payment of which a property tax levy or the full faith and  
12 credit of the unit of local government is pledged; however, a  
13 tax for the payment of interest or principal on those bonds  
14 shall be made only after the governing body of the unit of  
15 local government finds that all other sources for payment are  
16 insufficient to make those payments; (f) made for payments  
17 under a building commission lease when the lease payments are  
18 for the retirement of bonds issued by the commission before  
19 March 1, 1995 to pay for the building project; (g) made for  
20 payments due under installment contracts entered into before  
21 March 1, 1995; (h) made for payments of principal and interest  
22 on bonds issued under the Metropolitan Water Reclamation  
23 District Act to finance construction projects initiated before  
24 October 1, 1991; (h-4) made for stormwater management purposes  
25 by the Metropolitan Water Reclamation District of Greater  
26 Chicago under Section 12 of the Metropolitan Water Reclamation

1 District Act; (i) made for payments of principal and interest  
2 on limited bonds, as defined in Section 3 of the Local  
3 Government Debt Reform Act, in an amount not to exceed the debt  
4 service extension base less the amount in items (b), (c), and  
5 (e) of this definition for non-referendum obligations, except  
6 obligations initially issued pursuant to referendum and bonds  
7 described in subsection (h) of this definition; (j) made for  
8 payments of principal and interest on bonds issued under  
9 Section 15 of the Local Government Debt Reform Act; (k) made  
10 for payments of principal and interest on bonds authorized by  
11 Public Act 88-503 and issued under Section 20a of the Chicago  
12 Park District Act for aquarium or museum projects; (l) made for  
13 payments of principal and interest on bonds authorized by  
14 Public Act 87-1191 or 93-601 and (i) issued pursuant to Section  
15 21.2 of the Cook County Forest Preserve District Act, (ii)  
16 issued under Section 42 of the Cook County Forest Preserve  
17 District Act for zoological park projects, or (iii) issued  
18 under Section 44.1 of the Cook County Forest Preserve District  
19 Act for botanical gardens projects; (m) made pursuant to  
20 Section 34-53.5 of the School Code, whether levied annually or  
21 not; (n) made to fund expenses of providing joint recreational  
22 programs for the handicapped under Section 5-8 of the Park  
23 District Code or Section 11-95-14 of the Illinois Municipal  
24 Code; (o) made by the Chicago Park District for recreational  
25 programs for the handicapped under subsection (c) of Section  
26 7.06 of the Chicago Park District Act; (p) made for



1 contributions to a firefighter's pension fund created under  
2 Article 4 of the Illinois Pension Code, to the extent of the  
3 amount certified under item (5) of Section 4-134 of the  
4 Illinois Pension Code; ~~and~~ (q) made by Ford Heights School  
5 District 169 under Section 17-9.02 of the School Code; and (r)  
6 for the 2017 and 2018 levy years, made for public safety  
7 purposes.

8 "Aggregate extension" for all taxing districts to which  
9 this Law applies in accordance with Section 18-213, except for  
10 those taxing districts subject to paragraph (2) of subsection  
11 (e) of Section 18-213, means the annual corporate extension for  
12 the taxing district and those special purpose extensions that  
13 are made annually for the taxing district, excluding special  
14 purpose extensions: (a) made for the taxing district to pay  
15 interest or principal on general obligation bonds that were  
16 approved by referendum; (b) made for any taxing district to pay  
17 interest or principal on general obligation bonds issued before  
18 the date on which the referendum making this Law applicable to  
19 the taxing district is held; (c) made for any taxing district  
20 to pay interest or principal on bonds issued to refund or  
21 continue to refund those bonds issued before the date on which  
22 the referendum making this Law applicable to the taxing  
23 district is held; (d) made for any taxing district to pay  
24 interest or principal on bonds issued to refund or continue to  
25 refund bonds issued after the date on which the referendum  
26 making this Law applicable to the taxing district is held if

1 the bonds were approved by referendum after the date on which  
2 the referendum making this Law applicable to the taxing  
3 district is held; (e) made for any taxing district to pay  
4 interest or principal on revenue bonds issued before the date  
5 on which the referendum making this Law applicable to the  
6 taxing district is held for payment of which a property tax  
7 levy or the full faith and credit of the unit of local  
8 government is pledged; however, a tax for the payment of  
9 interest or principal on those bonds shall be made only after  
10 the governing body of the unit of local government finds that  
11 all other sources for payment are insufficient to make those  
12 payments; (f) made for payments under a building commission  
13 lease when the lease payments are for the retirement of bonds  
14 issued by the commission before the date on which the  
15 referendum making this Law applicable to the taxing district is  
16 held to pay for the building project; (g) made for payments due  
17 under installment contracts entered into before the date on  
18 which the referendum making this Law applicable to the taxing  
19 district is held; (h) made for payments of principal and  
20 interest on limited bonds, as defined in Section 3 of the Local  
21 Government Debt Reform Act, in an amount not to exceed the debt  
22 service extension base less the amount in items (b), (c), and  
23 (e) of this definition for non-referendum obligations, except  
24 obligations initially issued pursuant to referendum; (i) made  
25 for payments of principal and interest on bonds issued under  
26 Section 15 of the Local Government Debt Reform Act; (j) made

1 for a qualified airport authority to pay interest or principal  
2 on general obligation bonds issued for the purpose of paying  
3 obligations due under, or financing airport facilities  
4 required to be acquired, constructed, installed or equipped  
5 pursuant to, contracts entered into before March 1, 1996 (but  
6 not including any amendments to such a contract taking effect  
7 on or after that date); (k) made to fund expenses of providing  
8 joint recreational programs for the handicapped under Section  
9 5-8 of the Park District Code or Section 11-95-14 of the  
10 Illinois Municipal Code; (l) made for contributions to a  
11 firefighter's pension fund created under Article 4 of the  
12 Illinois Pension Code, to the extent of the amount certified  
13 under item (5) of Section 4-134 of the Illinois Pension Code;  
14 ~~and~~ (m) made for the taxing district to pay interest or  
15 principal on general obligation bonds issued pursuant to  
16 Section 19-3.10 of the School Code; and (n) for the 2016 and  
17 2017 levy years, made for public safety purposes.

18 "Aggregate extension" for all taxing districts to which  
19 this Law applies in accordance with paragraph (2) of subsection  
20 (e) of Section 18-213 means the annual corporate extension for  
21 the taxing district and those special purpose extensions that  
22 are made annually for the taxing district, excluding special  
23 purpose extensions: (a) made for the taxing district to pay  
24 interest or principal on general obligation bonds that were  
25 approved by referendum; (b) made for any taxing district to pay  
26 interest or principal on general obligation bonds issued before

1 the effective date of this amendatory Act of 1997; (c) made for  
2 any taxing district to pay interest or principal on bonds  
3 issued to refund or continue to refund those bonds issued  
4 before the effective date of this amendatory Act of 1997; (d)  
5 made for any taxing district to pay interest or principal on  
6 bonds issued to refund or continue to refund bonds issued after  
7 the effective date of this amendatory Act of 1997 if the bonds  
8 were approved by referendum after the effective date of this  
9 amendatory Act of 1997; (e) made for any taxing district to pay  
10 interest or principal on revenue bonds issued before the  
11 effective date of this amendatory Act of 1997 for payment of  
12 which a property tax levy or the full faith and credit of the  
13 unit of local government is pledged; however, a tax for the  
14 payment of interest or principal on those bonds shall be made  
15 only after the governing body of the unit of local government  
16 finds that all other sources for payment are insufficient to  
17 make those payments; (f) made for payments under a building  
18 commission lease when the lease payments are for the retirement  
19 of bonds issued by the commission before the effective date of  
20 this amendatory Act of 1997 to pay for the building project;  
21 (g) made for payments due under installment contracts entered  
22 into before the effective date of this amendatory Act of 1997;  
23 (h) made for payments of principal and interest on limited  
24 bonds, as defined in Section 3 of the Local Government Debt  
25 Reform Act, in an amount not to exceed the debt service  
26 extension base less the amount in items (b), (c), and (e) of

1 this definition for non-referendum obligations, except  
2 obligations initially issued pursuant to referendum; (i) made  
3 for payments of principal and interest on bonds issued under  
4 Section 15 of the Local Government Debt Reform Act; (j) made  
5 for a qualified airport authority to pay interest or principal  
6 on general obligation bonds issued for the purpose of paying  
7 obligations due under, or financing airport facilities  
8 required to be acquired, constructed, installed or equipped  
9 pursuant to, contracts entered into before March 1, 1996 (but  
10 not including any amendments to such a contract taking effect  
11 on or after that date); (k) made to fund expenses of providing  
12 joint recreational programs for the handicapped under Section  
13 5-8 of the Park District Code or Section 11-95-14 of the  
14 Illinois Municipal Code; ~~and~~ (l) made for contributions to a  
15 firefighter's pension fund created under Article 4 of the  
16 Illinois Pension Code, to the extent of the amount certified  
17 under item (5) of Section 4-134 of the Illinois Pension Code;  
18 and (n) for the 2016 and 2017 levy years, made for public  
19 safety purposes.

20 "Aggregate extension", for all taxing districts to which  
21 this Law did not apply before the 2016 levy year (other than  
22 taxing districts having a majority of their 2015 equalized  
23 assessed value within Cook County) for levy years 2016 and  
24 2017, and for taxing districts having a majority of their 2015  
25 equalized assessed value within Cook County for levy years 2017  
26 and 2018, means the annual corporate extension for the taxing

1 district and those special purpose extensions that are made  
2 annually for the taxing district, excluding special purpose  
3 extensions: (a) made for the taxing district to pay interest or  
4 principal on general obligation bonds that were approved by  
5 referendum; (b) made for any taxing district to pay interest or  
6 principal on general obligation bonds issued before March 1,  
7 2016; (c) made for any taxing district to pay interest or  
8 principal on bonds issued to refund or continue to refund those  
9 bonds issued before March 1, 2016; (d) made for any taxing  
10 district to pay interest or principal on bonds issued to refund  
11 or continue to refund bonds issued after February 28, 2016 that  
12 were approved by referendum; (e) made for any taxing district  
13 to pay interest or principal on revenue bonds issued before  
14 March 1, 2016 for payment of which a property tax levy or the  
15 full faith and credit of the unit of local government is  
16 pledged; however, a tax for the payment of interest or  
17 principal on those bonds shall be made only after the governing  
18 body of the unit of local government finds that all other  
19 sources for payment are insufficient to make those payments;  
20 (f) made for payments under a building commission lease when  
21 the lease payments are for the retirement of bonds issued by  
22 the commission before March 1, 2016 to pay for the building  
23 project; (g) made for payments due under installment contracts  
24 entered into before March 1, 2016; (h) made for payments of  
25 principal and interest on limited bonds, as defined in Section  
26 3 of the Local Government Debt Reform Act, in an amount not to

1 exceed the debt service extension base less the amount in items  
2 (b), (c), and (e) of this definition for non-referendum  
3 obligations, except obligations initially issued pursuant to  
4 referendum; (i) made for payments of principal and interest on  
5 bonds issued under Section 15 of the Local Government Debt  
6 Reform Act; (j) made to fund expenses of providing joint  
7 recreational programs for the handicapped under Section 5-8 of  
8 the Park District Code or Section 11-95-14 of the Illinois  
9 Municipal Code; (k) made for temporary relocation loan  
10 repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of  
11 the School Code; (l) made for payment of principal and interest  
12 on any bonds issued under the authority of Section 17-2.2d of  
13 the School Code; (m) made for contributions to a firefighter's  
14 pension fund created under Article 4 of the Illinois Pension  
15 Code, to the extent of the amount certified under item (5) of  
16 Section 4-134 of the Illinois Pension Code; and (n) made for  
17 public safety purposes.

18 "Made for public safety purposes", includes, but is not  
19 limited to, special purpose extensions made under any of the  
20 following Sections: Section 3-125 or 4-118 of the Illinois  
21 Pension Code; Section 11-1-3, 11-1-5.1, 11-7-1, or 11-7-3 of  
22 the Illinois Municipal Code; Section 30-160, 30-165, 200-10, or  
23 200-12 of the Township Code; Section 13, 14, 22, 23, or 24 of  
24 the Fire Protection District Act; Section 5-9 of the Park  
25 District Code; or Section 11 of the Rescue Squad Districts Act.

26 "Debt service extension base" means an amount equal to that

1 portion of the extension for a taxing district for the 1994  
2 levy year, or for those taxing districts subject to this Law in  
3 accordance with Section 18-213, except for those subject to  
4 paragraph (2) of subsection (e) of Section 18-213, for the levy  
5 year in which the referendum making this Law applicable to the  
6 taxing district is held, or for those taxing districts subject  
7 to this Law in accordance with paragraph (2) of subsection (e)  
8 of Section 18-213 for the 1996 levy year, or for those taxing  
9 districts that become subject to this Law as a result of this  
10 amendatory Act of the 99th General Assembly for the levy year  
11 in which the taxing district first becomes subject to this Law,  
12 constituting an extension for payment of principal and interest  
13 on bonds issued by the taxing district without referendum, but  
14 not including excluded non-referendum bonds. For park  
15 districts (i) that were first subject to this Law in 1991 or  
16 1995 and (ii) whose extension for the 1994 levy year for the  
17 payment of principal and interest on bonds issued by the park  
18 district without referendum (but not including excluded  
19 non-referendum bonds) was less than 51% of the amount for the  
20 1991 levy year constituting an extension for payment of  
21 principal and interest on bonds issued by the park district  
22 without referendum (but not including excluded non-referendum  
23 bonds), "debt service extension base" means an amount equal to  
24 that portion of the extension for the 1991 levy year  
25 constituting an extension for payment of principal and interest  
26 on bonds issued by the park district without referendum (but



1 not including excluded non-referendum bonds). A debt service  
2 extension base established or increased at any time pursuant to  
3 any provision of this Law, except Section 18-212, shall be  
4 increased each year commencing with the later of (i) the 2009  
5 levy year or (ii) the first levy year in which this Law becomes  
6 applicable to the taxing district, by the lesser of 5% or the  
7 percentage increase in the Consumer Price Index during the  
8 12-month calendar year preceding the levy year. The debt  
9 service extension base may be established or increased as  
10 provided under Section 18-212. "Excluded non-referendum bonds"  
11 means (i) bonds authorized by Public Act 88-503 and issued  
12 under Section 20a of the Chicago Park District Act for aquarium  
13 and museum projects; (ii) bonds issued under Section 15 of the  
14 Local Government Debt Reform Act; or (iii) refunding  
15 obligations issued to refund or to continue to refund  
16 obligations initially issued pursuant to referendum.

17 "Special purpose extensions" include, but are not limited  
18 to, extensions for levies made on an annual basis for  
19 unemployment and workers' compensation, self-insurance,  
20 contributions to pension plans, and extensions made pursuant to  
21 Section 6-601 of the Illinois Highway Code for a road  
22 district's permanent road fund whether levied annually or not.  
23 The extension for a special service area is not included in the  
24 aggregate extension.

25 "Aggregate extension base" means the taxing district's  
26 last preceding aggregate extension as adjusted under Sections

1 18-135, 18-215, and 18-230. An adjustment under Section 18-135  
2 shall be made for the 2007 levy year and all subsequent levy  
3 years whenever one or more counties within which a taxing  
4 district is located (i) used estimated valuations or rates when  
5 extending taxes in the taxing district for the last preceding  
6 levy year that resulted in the over or under extension of  
7 taxes, or (ii) increased or decreased the tax extension for the  
8 last preceding levy year as required by Section 18-135(c).  
9 Whenever an adjustment is required under Section 18-135, the  
10 aggregate extension base of the taxing district shall be equal  
11 to the amount that the aggregate extension of the taxing  
12 district would have been for the last preceding levy year if  
13 either or both (i) actual, rather than estimated, valuations or  
14 rates had been used to calculate the extension of taxes for the  
15 last levy year, or (ii) the tax extension for the last  
16 preceding levy year had not been adjusted as required by  
17 subsection (c) of Section 18-135.

18 Notwithstanding any other provision of law, for levy year  
19 2012, the aggregate extension base for West Northfield School  
20 District No. 31 in Cook County shall be \$12,654,592.

21 "Levy year" has the same meaning as "year" under Section  
22 1-155.

23 "New property" means (i) the assessed value, after final  
24 board of review or board of appeals action, of new improvements  
25 or additions to existing improvements on any parcel of real  
26 property that increase the assessed value of that real property

1 during the levy year multiplied by the equalization factor  
2 issued by the Department under Section 17-30, (ii) the assessed  
3 value, after final board of review or board of appeals action,  
4 of real property not exempt from real estate taxation, which  
5 real property was exempt from real estate taxation for any  
6 portion of the immediately preceding levy year, multiplied by  
7 the equalization factor issued by the Department under Section  
8 17-30, including the assessed value, upon final stabilization  
9 of occupancy after new construction is complete, of any real  
10 property located within the boundaries of an otherwise or  
11 previously exempt military reservation that is intended for  
12 residential use and owned by or leased to a private corporation  
13 or other entity, (iii) in counties that classify in accordance  
14 with Section 4 of Article IX of the Illinois Constitution, an  
15 incentive property's additional assessed value resulting from  
16 a scheduled increase in the level of assessment as applied to  
17 the first year final board of review market value, and (iv) any  
18 increase in assessed value due to oil or gas production from an  
19 oil or gas well required to be permitted under the Hydraulic  
20 Fracturing Regulatory Act that was not produced in or accounted  
21 for during the previous levy year. In addition, the county  
22 clerk in a county containing a population of 3,000,000 or more  
23 shall include in the 1997 recovered tax increment value for any  
24 school district, any recovered tax increment value that was  
25 applicable to the 1995 tax year calculations.

26 "Qualified airport authority" means an airport authority

1 organized under the Airport Authorities Act and located in a  
2 county bordering on the State of Wisconsin and having a  
3 population in excess of 200,000 and not greater than 500,000.

4 "Recovered tax increment value" means, except as otherwise  
5 provided in this paragraph, the amount of the current year's  
6 equalized assessed value, in the first year after a  
7 municipality terminates the designation of an area as a  
8 redevelopment project area previously established under the  
9 Tax Increment Allocation Development Act in the Illinois  
10 Municipal Code, previously established under the Industrial  
11 Jobs Recovery Law in the Illinois Municipal Code, previously  
12 established under the Economic Development Project Area Tax  
13 Increment Act of 1995, or previously established under the  
14 Economic Development Area Tax Increment Allocation Act, of each  
15 taxable lot, block, tract, or parcel of real property in the  
16 redevelopment project area over and above the initial equalized  
17 assessed value of each property in the redevelopment project  
18 area. For the taxes which are extended for the 1997 levy year,  
19 the recovered tax increment value for a non-home rule taxing  
20 district that first became subject to this Law for the 1995  
21 levy year because a majority of its 1994 equalized assessed  
22 value was in an affected county or counties shall be increased  
23 if a municipality terminated the designation of an area in 1993  
24 as a redevelopment project area previously established under  
25 the Tax Increment Allocation Development Act in the Illinois  
26 Municipal Code, previously established under the Industrial

1 Jobs Recovery Law in the Illinois Municipal Code, or previously  
2 established under the Economic Development Area Tax Increment  
3 Allocation Act, by an amount equal to the 1994 equalized  
4 assessed value of each taxable lot, block, tract, or parcel of  
5 real property in the redevelopment project area over and above  
6 the initial equalized assessed value of each property in the  
7 redevelopment project area. In the first year after a  
8 municipality removes a taxable lot, block, tract, or parcel of  
9 real property from a redevelopment project area established  
10 under the Tax Increment Allocation Development Act in the  
11 Illinois Municipal Code, the Industrial Jobs Recovery Law in  
12 the Illinois Municipal Code, or the Economic Development Area  
13 Tax Increment Allocation Act, "recovered tax increment value"  
14 means the amount of the current year's equalized assessed value  
15 of each taxable lot, block, tract, or parcel of real property  
16 removed from the redevelopment project area over and above the  
17 initial equalized assessed value of that real property before  
18 removal from the redevelopment project area.

19 Except as otherwise provided in this Section, "limiting  
20 rate" means a fraction the numerator of which is the last  
21 preceding aggregate extension base times an amount equal to one  
22 plus the extension limitation defined in this Section and the  
23 denominator of which is the current year's equalized assessed  
24 value of all real property in the territory under the  
25 jurisdiction of the taxing district during the prior levy year.  
26 For those taxing districts that reduced their aggregate

1 extension for the last preceding levy year, the highest  
2 aggregate extension in any of the last 3 preceding levy years  
3 shall be used for the purpose of computing the limiting rate.  
4 The denominator shall not include new property or the recovered  
5 tax increment value. If a new rate, a rate decrease, or a  
6 limiting rate increase has been approved at an election held  
7 after March 21, 2006, then (i) the otherwise applicable  
8 limiting rate shall be increased by the amount of the new rate  
9 or shall be reduced by the amount of the rate decrease, as the  
10 case may be, or (ii) in the case of a limiting rate increase,  
11 the limiting rate shall be equal to the rate set forth in the  
12 proposition approved by the voters for each of the years  
13 specified in the proposition, after which the limiting rate of  
14 the taxing district shall be calculated as otherwise provided.  
15 In the case of a taxing district that obtained referendum  
16 approval for an increased limiting rate on March 20, 2012, the  
17 limiting rate for tax year 2012 shall be the rate that  
18 generates the approximate total amount of taxes extendable for  
19 that tax year, as set forth in the proposition approved by the  
20 voters; this rate shall be the final rate applied by the county  
21 clerk for the aggregate of all capped funds of the district for  
22 tax year 2012.

23 Notwithstanding any other provision of law, for taxing  
24 districts that were subject to this Law during the 2015 levy  
25 year, for the 2016 and 2017 levy years, the county clerk shall  
26 calculate a separate limiting rate for the aggregate of all

1 special purpose extensions made by the taxing district for  
2 public safety purposes, recognizing an extension limitation of  
3 (a) the lesser of 5% or the percentage increase in the Consumer  
4 Price Index during the 12-month calendar year preceding the  
5 levy year or (b) the rate of increase approved by voters under  
6 Section 18-205.

7 (Source: P.A. 97-611, eff. 1-1-12; 97-1154, eff. 1-25-13; 98-6,  
8 eff. 3-29-13; 98-23, eff. 6-17-13.)

9 (35 ILCS 200/18-205)

10 Sec. 18-205. Referendum to increase the extension  
11 limitation.

12 (a) A taxing district is limited to an extension limitation  
13 as defined in Section 18-185 of 5% or the percentage increase  
14 in the Consumer Price Index during the 12 month calendar year  
15 preceding the levy year, whichever is less. A taxing district  
16 may increase its extension limitation for one or more levy  
17 years if that taxing district holds a referendum before the  
18 levy date for the first levy year at which a majority of voters  
19 voting on the issue approves adoption of a higher extension  
20 limitation. Referenda shall be conducted at a regularly  
21 scheduled election in accordance with the Election Code.

22 (b) The question shall be presented in substantially the  
23 following manner ~~for all elections held after March 21, 2006:~~

24 Shall the extension limitation under the Property Tax  
25 Extension Limitation Law for (insert the legal name,

1 number, if any, and county or counties of the taxing  
2 district and geographic or other common name by which a  
3 school or community college district is known and referred  
4 to), Illinois, be increased from (applicable extension  
5 limitation set forth in Section 18-185) ~~the lesser of 5% or~~  
6 ~~the percentage increase in the Consumer Price Index~~ over  
7 the prior levy year to (insert the percentage of the  
8 proposed increase)% per year for (insert each levy year for  
9 which the increased extension limitation will apply)?

10 (c) The votes must be recorded as "Yes" or "No".

11 If a majority of voters voting on the issue approves the  
12 adoption of the increase, the increase shall be applicable for  
13 each levy year specified.

14 The ballot for any question submitted pursuant to this  
15 Section shall have printed thereon, but not as a part of the  
16 question submitted, only the following supplemental  
17 information (which shall be supplied to the election authority  
18 by the taxing district) in substantially the following form:

19 (1) For the (insert the first levy year for which the  
20 increased extension limitation will be applicable) levy  
21 year the approximate amount of the additional tax  
22 extendable against property containing a single family  
23 residence and having a fair market value at the time of the  
24 referendum of \$100,000 is estimated to be \$....

25 (2) Based upon an average annual percentage increase  
26 (or decrease) in the market value of such property of ...%



1 (insert percentage equal to the average annual percentage  
2 increase or decrease for the prior 3 levy years, at the  
3 time the submission of the question is initiated by the  
4 taxing district, in the amount of (A) the equalized  
5 assessed value of the taxable property in the taxing  
6 district less (B) the new property included in the  
7 equalized assessed value), the approximate amount of the  
8 additional tax extendable against such property for the ...  
9 levy year is estimated to be \$... and for the ... levy year  
10 is estimated to be \$....

11 Paragraph (2) shall be included only if the increased  
12 extension limitation will be applicable for more than one year  
13 and shall list each levy year for which the increased extension  
14 limitation will be applicable. The additional tax shown for  
15 each levy year shall be the approximate dollar amount of the  
16 increase over the amount of the most recently completed  
17 extension at the time the submission of the question is  
18 initiated by the taxing district. The approximate amount of the  
19 additional tax extendable shown in paragraphs (1) and (2) shall  
20 be calculated by multiplying \$100,000 (the fair market value of  
21 the property without regard to any property tax exemptions) by  
22 (i) the percentage level of assessment prescribed for that  
23 property by statute, or by ordinance of the county board in  
24 counties that classify property for purposes of taxation in  
25 accordance with Section 4 of Article IX of the Illinois  
26 Constitution; (ii) the most recent final equalization factor

1 certified to the county clerk by the Department of Revenue at  
2 the time the taxing district initiates the submission of the  
3 proposition to the electors; (iii) the last known aggregate  
4 extension base of the taxing district at the time the  
5 submission of the question is initiated by the taxing district;  
6 and (iv) the difference between the percentage increase  
7 proposed in the question and the otherwise applicable extension  
8 limitation under Section 18-185 ~~lesser of 5% or the percentage~~  
9 ~~increase in the Consumer Price Index for the prior levy year~~  
10 ~~(or an estimate of the percentage increase for the prior levy~~  
11 ~~year if the increase is unavailable at the time the submission~~  
12 ~~of the question is initiated by the taxing district);~~ and  
13 dividing the result by the last known equalized assessed value  
14 of the taxing district at the time the submission of the  
15 question is initiated by the taxing district. This amendatory  
16 Act of the 97th General Assembly is intended to clarify the  
17 existing requirements of this Section, and shall not be  
18 construed to validate any prior non-compliant referendum  
19 language. Any notice required to be published in connection  
20 with the submission of the question shall also contain this  
21 supplemental information and shall not contain any other  
22 supplemental information. Any error, miscalculation, or  
23 inaccuracy in computing any amount set forth on the ballot or  
24 in the notice that is not deliberate shall not invalidate or  
25 affect the validity of any proposition approved. Notice of the  
26 referendum shall be published and posted as otherwise required

1 by law, and the submission of the question shall be initiated  
2 as provided by law.

3 (Source: P.A. 97-1087, eff. 8-24-12.)

4 (35 ILCS 200/18-213)

5 Sec. 18-213. Referenda on applicability of the Property Tax  
6 Extension Limitation Law.

7 (a) The provisions of this Section do not apply to a taxing  
8 district subject to this Law because a majority of its 1990  
9 equalized assessed value is in a county or counties contiguous  
10 to a county of 3,000,000 or more inhabitants, or because a  
11 majority of its 1994 equalized assessed value is in an affected  
12 county and the taxing district was not subject to this Law  
13 before the 1995 levy year.

14 (b) The county board of a county that is not subject to  
15 this Law may, by ordinance or resolution, submit to the voters  
16 of the county the question of whether to make all non-home rule  
17 taxing districts that have all or a portion of their equalized  
18 assessed valuation situated in the county subject to this Law  
19 in the manner set forth in this Section.

20 For purposes of this Section only:

21 "Taxing district" has the same meaning provided in Section  
22 1-150.

23 "Equalized assessed valuation" means the equalized  
24 assessed valuation for a taxing district for the immediately  
25 preceding levy year.

1           (c) The ordinance or resolution shall request the  
2 submission of the proposition at any election, except a  
3 consolidated primary election, for the purpose of voting for or  
4 against making the Property Tax Extension Limitation Law  
5 applicable to all non-home rule taxing districts that have all  
6 or a portion of their equalized assessed valuation situated in  
7 the county.

8           The question shall be placed on a separate ballot and shall  
9 be in substantially the following form:

10           Shall the Property Tax Extension Limitation Law (35  
11 ILCS 200/18-185 through 18-245), which limits annual  
12 property tax extension increases, apply to non-home rule  
13 taxing districts with all or a portion of their equalized  
14 assessed valuation located in (name of county)?

15 Votes on the question shall be recorded as "yes" or "no".

16           (d) The county clerk shall order the proposition submitted  
17 to the electors of the county at the election specified in the  
18 ordinance or resolution. If part of the county is under the  
19 jurisdiction of a board or boards of election commissioners,  
20 the county clerk shall submit a certified copy of the ordinance  
21 or resolution to each board of election commissioners, which  
22 shall order the proposition submitted to the electors of the  
23 taxing district within its jurisdiction at the election  
24 specified in the ordinance or resolution.

25           (e) (1) With respect to taxing districts having all of  
26 their equalized assessed valuation located in the county,

1 if a majority of the votes cast on the proposition are in  
2 favor of the proposition, then this Law becomes applicable  
3 to the taxing district beginning on January 1 of the year  
4 following the date of the referendum.

5 (2) With respect to taxing districts that meet all the  
6 following conditions this Law shall become applicable to  
7 the taxing district beginning on January 1, 1997. The  
8 districts to which this paragraph (2) is applicable

9 (A) do not have all of their equalized assessed  
10 valuation located in a single county,

11 (B) have equalized assessed valuation in an  
12 affected county,

13 (C) meet the condition that each county, other than  
14 an affected county, in which any of the equalized  
15 assessed valuation of the taxing district is located  
16 has held a referendum under this Section at any  
17 election, except a consolidated primary election, held  
18 prior to the effective date of this amendatory Act of  
19 1997, and

20 (D) have a majority of the district's equalized  
21 assessed valuation located in one or more counties in  
22 each of which the voters have approved a referendum  
23 under this Section prior to the effective date of this  
24 amendatory Act of 1997. For purposes of this Section,  
25 in determining whether a majority of the equalized  
26 assessed valuation of the taxing district is located in

1           one or more counties in which the voters have approved  
2           a referendum under this Section, the equalized  
3           assessed valuation of the taxing district in any  
4           affected county shall be included with the equalized  
5           assessed value of the taxing district in counties in  
6           which the voters have approved the referendum.

7           (3) With respect to taxing districts that do not have  
8           all of their equalized assessed valuation located in a  
9           single county and to which paragraph (2) of subsection (e)  
10          is not applicable, if each county other than an affected  
11          county in which any of the equalized assessed valuation of  
12          the taxing district is located has held a referendum under  
13          this Section at any election, except a consolidated primary  
14          election, held in any year and if a majority of the  
15          equalized assessed valuation of the taxing district is  
16          located in one or more counties that have each approved a  
17          referendum under this Section, then this Law shall become  
18          applicable to the taxing district on January 1 of the year  
19          following the year in which the last referendum in a county  
20          in which the taxing district has any equalized assessed  
21          valuation is held. For the purposes of this Law, the last  
22          referendum shall be deemed to be the referendum making this  
23          Law applicable to the taxing district. For purposes of this  
24          Section, in determining whether a majority of the equalized  
25          assessed valuation of the taxing district is located in one  
26          or more counties that have approved a referendum under this

1 Section, the equalized assessed valuation of the taxing  
2 district in any affected county shall be included with the  
3 equalized assessed value of the taxing district in counties  
4 that have approved the referendum.

5 (f) Immediately after a referendum is held under this  
6 Section, the county clerk of the county holding the referendum  
7 shall give notice of the referendum having been held and its  
8 results to all taxing districts that have all or a portion of  
9 their equalized assessed valuation located in the county, the  
10 county clerk of any other county in which any of the equalized  
11 assessed valuation of any taxing district is located, and the  
12 Department of Revenue. After the last referendum affecting a  
13 multi-county taxing district is held, the Department of Revenue  
14 shall determine whether the taxing district is subject to this  
15 Law and, if so, shall notify the taxing district and the county  
16 clerks of all of the counties in which a portion of the  
17 equalized assessed valuation of the taxing district is located  
18 that, beginning the following January 1, the taxing district is  
19 subject to this Law. For each taxing district subject to  
20 paragraph (2) of subsection (e) of this Section, the Department  
21 of Revenue shall notify the taxing district and the county  
22 clerks of all of the counties in which a portion of the  
23 equalized assessed valuation of the taxing district is located  
24 that, beginning January 1, 1997, the taxing district is subject  
25 to this Law.

26 (g) Referenda held under this Section shall be conducted in

1 accordance with the Election Code.

2 (h) Notwithstanding any other provision of law, no  
3 referenda may be held under this Section with respect to levy  
4 years 2016 and 2017.

5 (Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

6 (35 ILCS 200/18-214)

7 Sec. 18-214. Referenda on removal of the applicability of  
8 the Property Tax Extension Limitation Law to non-home rule  
9 taxing districts.

10 (a) The provisions of this Section do not apply to a taxing  
11 district that is subject to this Law because a majority of its  
12 1990 equalized assessed value is in a county or counties  
13 contiguous to a county of 3,000,000 or more inhabitants, or  
14 because a majority of its 1994 equalized assessed value is in  
15 an affected county and the taxing district was not subject to  
16 this Law before the 1995 levy year.

17 (b) For purposes of this Section only:

18 "Taxing district" means any non-home rule taxing district  
19 that became subject to this Law under Section 18-213 of this  
20 Law.

21 "Equalized assessed valuation" means the equalized  
22 assessed valuation for a taxing district for the immediately  
23 preceding levy year.

24 (c) The county board of a county that became subject to  
25 this Law by a referendum approved by the voters of the county



1 under Section 18-213 may, by ordinance or resolution, in the  
2 manner set forth in this Section, submit to the voters of the  
3 county the question of whether this Law applies to all non-home  
4 rule taxing districts that have all or a portion of their  
5 equalized assessed valuation situated in the county in the  
6 manner set forth in this Section.

7 (d) The ordinance or resolution shall request the  
8 submission of the proposition at any election, except a  
9 consolidated primary election, for the purpose of voting for or  
10 against the continued application of the Property Tax Extension  
11 Limitation Law to all non-home rule taxing districts that have  
12 all or a portion of their equalized assessed valuation situated  
13 in the county.

14 The question shall be placed on a separate ballot and shall  
15 be in substantially the following form:

16 Shall the Property Tax Extension Limitation Law (35  
17 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits  
18 annual property tax extension increases, apply to non-home  
19 rule taxing districts with all or a portion of their  
20 equalized assessed valuation located in (name of county)?

21 Votes on the question shall be recorded as "yes" or "no".

22 (e) The county clerk shall order the proposition submitted  
23 to the electors of the county at the election specified in the  
24 ordinance or resolution. If part of the county is under the  
25 jurisdiction of a board or boards of election commissioners,  
26 the county clerk shall submit a certified copy of the ordinance

1 or resolution to each board of election commissioners, which  
2 shall order the proposition submitted to the electors of the  
3 taxing district within its jurisdiction at the election  
4 specified in the ordinance or resolution.

5 (f) With respect to taxing districts having all of their  
6 equalized assessed valuation located in one county, if a  
7 majority of the votes cast on the proposition are against the  
8 proposition, then this Law shall not apply to the taxing  
9 district beginning on January 1 of the year following the date  
10 of the referendum.

11 (g) With respect to taxing districts that do not have all  
12 of their equalized assessed valuation located in a single  
13 county, if both of the following conditions are met, then this  
14 Law shall no longer apply to the taxing district beginning on  
15 January 1 of the year following the date of the referendum.

16 (1) Each county in which the district has any equalized  
17 assessed valuation must either, (i) have held a referendum  
18 under this Section, (ii) be an affected county, or (iii)  
19 have held a referendum under Section 18-213 at which the  
20 voters rejected the proposition at the most recent election  
21 at which the question was on the ballot in the county.

22 (2) The majority of the equalized assessed valuation of  
23 the taxing district, other than any equalized assessed  
24 valuation in an affected county, is in one or more counties  
25 in which the voters rejected the proposition. For purposes  
26 of this Section, in determining whether a majority of the

1 equalized assessed valuation of the taxing district is  
2 located in one or more counties in which the voters have  
3 rejected the proposition under this Section, the equalized  
4 assessed valuation of any taxing district in a county which  
5 has held a referendum under Section 18-213 at which the  
6 voters rejected that proposition, at the most recent  
7 election at which the question was on the ballot in the  
8 county, will be included with the equalized assessed value  
9 of the taxing district in counties in which the voters have  
10 rejected the referendum held under this Section.

11 (h) Immediately after a referendum is held under this  
12 Section, the county clerk of the county holding the referendum  
13 shall give notice of the referendum having been held and its  
14 results to all taxing districts that have all or a portion of  
15 their equalized assessed valuation located in the county, the  
16 county clerk of any other county in which any of the equalized  
17 assessed valuation of any such taxing district is located, and  
18 the Department of Revenue. After the last referendum affecting  
19 a multi-county taxing district is held, the Department of  
20 Revenue shall determine whether the taxing district is no  
21 longer subject to this Law and, if the taxing district is no  
22 longer subject to this Law, the Department of Revenue shall  
23 notify the taxing district and the county clerks of all of the  
24 counties in which a portion of the equalized assessed valuation  
25 of the taxing district is located that, beginning on January 1  
26 of the year following the date of the last referendum, the

1 taxing district is no longer subject to this Law.

2 (i) Notwithstanding any other provision of law, no  
3 referenda may be held under this Section with respect to levy  
4 years 2016 and 2017.

5 (Source: P.A. 89-718, eff. 3-7-97.)

6 (35 ILCS 200/18-242 new)

7 Sec. 18-242. Home rule. This Division 5 is a limitation,  
8 under subsection (g) of Section 6 of Article VII of the  
9 Illinois Constitution, on the power of home rule units to tax.

10 Section 10. The Illinois Pension Code is amended by adding  
11 Section 16-158.5 and by changing Sections 17-127 and 17-129 as  
12 follows:

13 (40 ILCS 5/16-158.5 new)

14 Sec. 16-158.5. Obligations of State; funding guarantee.

15 (a) Beginning July 1, 2015, the State shall be obligated to  
16 contribute to the System in each State fiscal year an amount  
17 not less than the sum of (i) the State's normal cost for the  
18 year and (ii) the portion of the unfunded accrued liability  
19 assigned to that year by law. Notwithstanding any other  
20 provision of law, if the State fails to pay an amount required  
21 under this subsection, it shall be the obligation of the Board  
22 to seek payment of the required amount in compliance with the  
23 provisions of this Section and, if the amount remains unpaid,

1 to bring a mandamus action in the Supreme Court of Illinois to  
2 compel the State to make the required payment.

3 If the System submits a voucher for contributions required  
4 under Section 16-158 and the State fails to pay that voucher  
5 within 90 days of its receipt, the Board shall submit a written  
6 request to the Comptroller seeking payment. A copy of the  
7 request shall be filed with the Secretary of State, and the  
8 Secretary of State shall provide a copy to the Governor and  
9 General Assembly. No earlier than the 16th day after the System  
10 files the request with the Comptroller and Secretary of State,  
11 if the amount remains unpaid the Board shall commence a  
12 mandamus action in the Supreme Court of Illinois to compel the  
13 Comptroller to satisfy the voucher.

14 This subsection (a) constitutes an express waiver of the  
15 State's sovereign immunity solely to the extent that it permits  
16 the Board to commence a mandamus action in the Supreme Court of  
17 Illinois to compel the Comptroller to pay a voucher for the  
18 contributions required under Section 16-158.

19 (b) Any payments and transfers required to be made by the  
20 State pursuant to subsection (a) are expressly subordinate to  
21 the payment of the principal, interest, and premium, if any, on  
22 any bonded debt obligation of the State or any other  
23 State-created entity, either currently outstanding or to be  
24 issued, for which the source of repayment or security thereon  
25 is derived directly or indirectly from tax revenues collected  
26 by the State or any other State-created entity. Payments on

1 such bonded obligations include any statutory fund transfers or  
2 other prefunding mechanisms or formulas set forth, now or  
3 hereafter, in State law or bond indentures, into debt service  
4 funds or accounts of the State related to such bond  
5 obligations, consistent with the payment schedules associated  
6 with such obligations.

7 (40 ILCS 5/17-127) (from Ch. 108 1/2, par. 17-127)

8 Sec. 17-127. Financing; revenues for the Fund.

9 (a) The revenues for the Fund shall consist of: (1) amounts  
10 paid into the Fund by contributors thereto and from employer  
11 contributions and State appropriations in accordance with this  
12 Article; (2) amounts contributed to the Fund by an Employer;  
13 (3) amounts contributed to the Fund pursuant to any law now in  
14 force or hereafter to be enacted; (4) contributions from any  
15 other source; and (5) the earnings on investments.

16 (b) The General Assembly finds that for many years the  
17 State has contributed to the Fund an annual amount that is  
18 between 20% and 30% of the amount of the annual State  
19 contribution to the Article 16 retirement system, and the  
20 General Assembly declares that it is its goal and intention to  
21 continue this level of contribution to the Fund in the future.

22 (c) Beginning in State fiscal year 1999, the State shall  
23 include in its annual contribution to the Fund an additional  
24 amount equal to 0.544% of the Fund's total teacher payroll;  
25 except that this additional contribution need not be made in a

1 fiscal year if the Board has certified in the previous fiscal  
2 year that the Fund is at least 90% funded, based on actuarial  
3 determinations. These additional State contributions are  
4 intended to offset a portion of the cost to the Fund of the  
5 increases in retirement benefits resulting from this  
6 amendatory Act of 1998.

7 (d) In addition to any other contribution required under  
8 this Article, including the contribution required under  
9 subsection (c), the State shall contribute to the Fund the  
10 following amounts:

11 (1) For State fiscal year 2016, the State shall  
12 contribute \$197,000,000.

13 (2) Beginning in State fiscal year 2017, the State  
14 shall contribute for each fiscal year an amount, to be  
15 determined by the Fund, equal to the employer normal cost  
16 portion of the projected normal cost for that fiscal year.

17 (3) Beginning in State fiscal year 2017, the State  
18 shall contribute for each fiscal year an amount to be  
19 determined by the Fund, equal to the employer normal cost  
20 for that fiscal year, plus the amount allowed pursuant to  
21 paragraph (3) of Section 17-142.1, to defray health  
22 insurance costs.

23 (e) The Board shall determine the amount of State  
24 contributions required for each fiscal year on the basis of the  
25 actuarial tables and other assumptions adopted by the Board and  
26 the recommendations of the actuary. On or before November 1 of

1 each year, beginning November 1, 2015, the Board shall submit  
2 to the State Actuary, the Governor, and the General Assembly a  
3 proposed certification of the amount of the required State  
4 contribution to the Fund for the next fiscal year, along with  
5 all of the actuarial assumptions, calculations, and data upon  
6 which that proposed certification is based.

7 On or before January 1 of each year, beginning January 1,  
8 2016, the State Actuary shall issue a preliminary report  
9 concerning the proposed certification and identifying, if  
10 necessary, recommended changes in actuarial assumptions that  
11 the Board must consider before finalizing its certification of  
12 the required State contributions.

13 (f) On or before January 15, 2016 and each January 15  
14 thereafter, the Board shall certify to the Governor and the  
15 General Assembly the amount of the required State contribution  
16 for the next fiscal year. The certification shall include a  
17 copy of the actuarial recommendations upon which it is based  
18 and shall specifically identify the Fund's projected employer  
19 normal cost for that fiscal year. The Board's certification  
20 must note any deviations from the State Actuary's recommended  
21 changes, the reason or reasons for not following the State  
22 Actuary's recommended changes, and the fiscal impact of not  
23 following the State Actuary's recommended changes on the  
24 required State contribution.

25 For the purposes of this Article, including issuing  
26 vouchers, and for the purposes of subsection (h) of Section 1.1



1 of the State Pension Funds Continuing Appropriation Act, the  
2 State contribution specified for State fiscal year 2016 shall  
3 be deemed to have been certified, by operation of law and  
4 without official action by the Board or the State Actuary, in  
5 the amount provided in subsection (d) of this Section.

6 (g) Beginning in State fiscal year 2016, on the 15th day of  
7 each month, or as soon thereafter as may be practicable, the  
8 Board shall submit vouchers for payment of State contributions  
9 to the Fund, in a total monthly amount of one-twelfth of the  
10 required annual State contribution under subsection (d). These  
11 vouchers shall be paid by the State Comptroller and Treasurer  
12 by warrants drawn on the funds appropriated to the Fund for  
13 that fiscal year. If in any month the amount remaining  
14 unexpended from all other State appropriations to the Fund for  
15 the applicable fiscal year is less than the amount lawfully  
16 vouchered under this subsection, the difference shall be paid  
17 from the Common School Fund under the continuing appropriation  
18 authority provided in Section 1.1 of the State Pension Funds  
19 Continuing Appropriation Act.

20 (Source: P.A. 90-548, eff. 12-4-97; 90-566, eff. 1-2-98;  
21 90-582, eff. 5-27-98; 90-655, eff. 7-30-98.)

22 (40 ILCS 5/17-129) (from Ch. 108 1/2, par. 17-129)

23 Sec. 17-129. Employer contributions; deficiency in Fund.

24 (a) If in any fiscal year of the Board of Education ending  
25 prior to 1997 the total amounts paid to the Fund from the Board

1 of Education (other than under this subsection, and other than  
2 amounts used for making or "picking up" contributions on behalf  
3 of teachers) and from the State do not equal the total  
4 contributions made by or on behalf of the teachers for such  
5 year, or if the total income of the Fund in any such fiscal  
6 year of the Board of Education from all sources is less than  
7 the total such expenditures by the Fund for such year, the  
8 Board of Education shall, in the next succeeding year, in  
9 addition to any other payment to the Fund set apart and  
10 appropriate from moneys from its tax levy for educational  
11 purposes, a sum sufficient to remove such deficiency or  
12 deficiencies, and promptly pay such sum into the Fund in order  
13 to restore any of the reserves of the Fund that may have been  
14 so temporarily applied. Any amounts received by the Fund after  
15 December 4, 1997 from State appropriations, including under  
16 Section 17-127, shall be a credit against and shall fully  
17 satisfy any obligation that may have arisen, or be claimed to  
18 have arisen, under this subsection (a) as a result of any  
19 deficiency or deficiencies in the fiscal year of the Board of  
20 Education ending in calendar year 1997.

21 (b) (i) Notwithstanding any other provision of this  
22 Section, and notwithstanding any prior certification by the  
23 Board under subsection (c) for fiscal year 2011, the Board of  
24 Education's total required contribution to the Fund for fiscal  
25 year 2011 under this Section is \$187,000,000.

26 (ii) Notwithstanding any other provision of this Section,

1 the Board of Education's total required contribution to the  
2 Fund for fiscal year 2012 under this Section is \$192,000,000.

3 (iii) Notwithstanding any other provision of this Section,  
4 the Board of Education's total required contribution to the  
5 Fund for fiscal year 2013 under this Section is \$196,000,000.

6 (iv) For fiscal years 2014 and 2015 ~~through 2059~~, the  
7 minimum contribution to the Fund to be made by the Board of  
8 Education in each fiscal year shall be an amount determined by  
9 the Fund to be sufficient to bring the total assets of the Fund  
10 up to 90% of the total actuarial liabilities of the Fund by the  
11 end of fiscal year 2059. In making these determinations, the  
12 required Board of Education contribution shall be calculated  
13 each year as a level percentage of the applicable employee  
14 payrolls over the years remaining to and including fiscal year  
15 2059 and shall be determined under the projected unit credit  
16 actuarial cost method.

17 (v) Notwithstanding any other provision of this Section,  
18 the Board of Education's total required contribution to the  
19 Fund for fiscal year 2016 under this Section is \$207,000,000.  
20 Notwithstanding item (x) of this subsection, the Board of  
21 Education's total required contribution under this item (v)  
22 shall not be reduced by the amount of any State contribution to  
23 the Fund.

24 (vi) Notwithstanding any other provision of this Section,  
25 the Board of Education's total required contribution to the  
26 Fund for fiscal year 2017 under this Section is \$211,000,000.

1 Notwithstanding item (x) of this subsection, the Board of  
2 Education's total required contribution under this item (vi)  
3 shall not be reduced by the amount of any State contribution to  
4 the Fund.

5 (vii) For fiscal years 2018 through 2063, the minimum  
6 contribution to the Fund to be made by the Board of Education  
7 in each fiscal year shall be an amount determined by the Fund  
8 to be sufficient to bring the total assets of the Fund up to  
9 90% of the total actuarial liabilities of the Fund by the end  
10 of fiscal year 2063. In making this determination, the required  
11 Board of Education contribution shall be calculated each year  
12 as a level percentage of the applicable employee payrolls over  
13 the years remaining to and including fiscal year 2063 and shall  
14 be determined under the projected unit credit actuarial cost  
15 method.

16 (viii) ~~(v)~~ Beginning in fiscal year 2064 ~~2060~~, the minimum  
17 Board of Education contribution for each fiscal year shall be  
18 the amount needed to maintain the total assets of the Fund at  
19 90% of the total actuarial liabilities of the Fund.

20 (ix) ~~(vi)~~ Notwithstanding any other provision of this  
21 subsection (b), for any fiscal year, the contribution to the  
22 Fund from the Board of Education shall not be required to be in  
23 excess of the amount calculated as needed to maintain the  
24 assets (or cause the assets to be) at the 90% level by the end  
25 of the fiscal year.

26 (x) ~~(vii)~~ Any contribution by the State to or for the

1 benefit of the Fund, including, without limitation, as referred  
2 to under Section 17-127, shall be a credit against any  
3 contribution required to be made by the Board of Education  
4 under this subsection (b), except for the contributions  
5 required to be made by the Board of Education under items (v)  
6 and (vi).

7 (c) The Board shall determine the amount of Board of  
8 Education contributions required for each fiscal year on the  
9 basis of the actuarial tables and other assumptions adopted by  
10 the Board and the recommendations of the actuary, in order to  
11 meet the minimum contribution requirements of subsections (a)  
12 and (b). Annually, on or before February 28, the Board shall  
13 certify to the Board of Education the amount of the required  
14 Board of Education contribution for the coming fiscal year. The  
15 certification shall include a copy of the actuarial  
16 recommendations upon which it is based.

17 (Source: P.A. 96-889, eff. 4-14-10.)

18 Section 15. The State Pension Funds Continuing  
19 Appropriation Act is amended by changing Section 1.1 as  
20 follows:

21 (40 ILCS 15/1.1)

22 Sec. 1.1. Appropriations to certain retirement systems.

23 (a) There is hereby appropriated from the General Revenue  
24 Fund to the General Assembly Retirement System, on a continuing

1 monthly basis, the amount, if any, by which the total available  
2 amount of all other appropriations to that retirement system  
3 for the payment of State contributions is less than the total  
4 amount of the vouchers for required State contributions  
5 lawfully submitted by the retirement system for that month  
6 under Section 2-134 of the Illinois Pension Code.

7 (b) There is hereby appropriated from the General Revenue  
8 Fund to the State Universities Retirement System, on a  
9 continuing monthly basis, the amount, if any, by which the  
10 total available amount of all other appropriations to that  
11 retirement system for the payment of State contributions,  
12 including any deficiency in the required contributions of the  
13 optional retirement program established under Section 15-158.2  
14 of the Illinois Pension Code, is less than the total amount of  
15 the vouchers for required State contributions lawfully  
16 submitted by the retirement system for that month under Section  
17 15-165 of the Illinois Pension Code.

18 (c) There is hereby appropriated from the Common School  
19 Fund to the Teachers' Retirement System of the State of  
20 Illinois, on a continuing monthly basis, the amount, if any, by  
21 which the total available amount of all other appropriations to  
22 that retirement system for the payment of State contributions  
23 is less than the total amount of the vouchers for required  
24 State contributions lawfully submitted by the retirement  
25 system for that month under Section 16-158 of the Illinois  
26 Pension Code.

1           (d) There is hereby appropriated from the General Revenue  
2 Fund to the Judges Retirement System of Illinois, on a  
3 continuing monthly basis, the amount, if any, by which the  
4 total available amount of all other appropriations to that  
5 retirement system for the payment of State contributions is  
6 less than the total amount of the vouchers for required State  
7 contributions lawfully submitted by the retirement system for  
8 that month under Section 18-140 of the Illinois Pension Code.

9           (e) The continuing appropriations provided by subsections  
10 (a), (b), (c), and (d) of this Section shall first be available  
11 in State fiscal year 1996. The continuing appropriations  
12 provided by subsection (h) of this Section shall first be  
13 available as provided in that subsection (h).

14           (f) For State fiscal year 2010 only, the continuing  
15 appropriations provided by this Section are equal to the amount  
16 certified by each System on or before December 31, 2008, less  
17 (i) the gross proceeds of the bonds sold in fiscal year 2010  
18 under the authorization contained in subsection (a) of Section  
19 7.2 of the General Obligation Bond Act and (ii) any amounts  
20 received from the State Pensions Fund.

21           (g) For State fiscal year 2011 only, the continuing  
22 appropriations provided by this Section are equal to the amount  
23 certified by each System on or before April 1, 2011, less (i)  
24 the gross proceeds of the bonds sold in fiscal year 2011 under  
25 the authorization contained in subsection (a) of Section 7.2 of  
26 the General Obligation Bond Act and (ii) any amounts received

1 from the State Pensions Fund.

2 (h) There is hereby appropriated from the Common School  
3 Fund to the Public School Teachers' Pension and Retirement Fund  
4 of Chicago, on a continuing monthly basis, the amount, if any,  
5 by which the total available amount of all other State  
6 appropriations to that Retirement Fund for the payment of State  
7 contributions under subsection (d) of Section 17-127 of the  
8 Illinois Pension Code is less than the total amount of the  
9 vouchers for required State contributions lawfully submitted  
10 by the Retirement Fund for that month under that Section  
11 17-127.

12 (Source: P.A. 96-43, eff. 7-15-09; 96-1497, eff. 1-14-11;  
13 96-1511, eff. 1-27-11.)

14 Section 20. The School Code is amended by adding Sections  
15 1D-5 and 18-21 and by changing Sections 1C-1, 1C-2, 1C-4, and  
16 18-8.05 as follows:

17 (105 ILCS 5/1C-1)

18 Sec. 1C-1. Purpose. The purpose of this Article is to  
19 permit greater flexibility and efficiency in the distribution  
20 and use of certain State funds available to local education  
21 agencies for the improvement of the quality of educational  
22 services pursuant to locally established priorities.

23 Through May 31, 2017, this ~~This~~ Article does not apply to  
24 school districts having a population in excess of 500,000



1 inhabitants.

2 (Source: P.A. 88-555, eff. 7-27-94; 89-15, eff. 5-30-95;  
3 89-397, eff. 8-20-95; 89-626, eff. 8-9-96.)

4 (105 ILCS 5/1C-2)

5 Sec. 1C-2. Block grants.

6 (a) For fiscal year 1999, and each fiscal year thereafter  
7 through May 31, 2017, the State Board of Education shall award  
8 to school districts block grants as described in subsection  
9 (c). The State Board of Education may adopt rules and  
10 regulations necessary to implement this Section. In accordance  
11 with Section 2-3.32, all state block grants are subject to an  
12 audit. Therefore, block grant receipts and block grant  
13 expenditures shall be recorded to the appropriate fund code.

14 (b) (Blank).

15 (c) An Early Childhood Education Block Grant shall be  
16 created by combining the following programs: Preschool  
17 Education, Parental Training and Prevention Initiative. These  
18 funds shall be distributed to school districts and other  
19 entities on a competitive basis, except that the State Board of  
20 Education shall award to a school district having a population  
21 exceeding 500,000 inhabitants 37% of the funds in each fiscal  
22 year after May 31, 2017. Not less than 14% of this grant shall  
23 be used to fund programs for children ages 0-3, which  
24 percentage shall increase to at least 20% by Fiscal Year 2016.  
25 However, if, in a given fiscal year, the amount appropriated

1 for the Early Childhood Education Block Grant is insufficient  
2 to increase the percentage of the grant to fund programs for  
3 children ages 0-3 without reducing the amount of the grant for  
4 existing providers of preschool education programs, then the  
5 percentage of the grant to fund programs for children ages 0-3  
6 may be held steady instead of increased.

7 (Source: P.A. 98-645, eff. 7-1-14.)

8 (105 ILCS 5/1C-4)

9 Sec. 1C-4. Reports. The State Superintendent of Education,  
10 in cooperation with the school districts participating under  
11 this Article, shall, through May 31, 2017, annually report to  
12 the leadership of the General Assembly on the progress made in  
13 implementing this Article. By February 1, 1997, the State Board  
14 of Education shall submit to the Governor and General Assembly  
15 a comprehensive plan for Illinois school districts, including  
16 the school district that has been organized under Article 34  
17 and is under the jurisdiction of the Chicago Board of  
18 Education, to establish and implement a block grant funding  
19 system for educational programs that are currently funded  
20 through single-program grants. Before submitting its plan to  
21 establish and implement a block grant funding system to the  
22 Governor and General Assembly as required by this Section, the  
23 State Board of Education shall give appropriate notice of and  
24 hold statewide public hearings on the subject of funding  
25 educational programs through block grants. The plan shall be

1 designed to relieve school districts of the administrative  
2 burdens that impede efficiency and accompany single-program  
3 funding.

4 A school district that receives an Early Childhood  
5 Education Block Grant shall report to the State Board of  
6 Education on its use of the block grant in such form and detail  
7 as the State Board of Education may specify. In addition, the  
8 report must include the following description for the district,  
9 which must also be reported to the General Assembly: block  
10 grant allocation and expenditures by program; population and  
11 service levels by program; and administrative expenditures by  
12 program. The State Board of Education shall ensure that the  
13 reporting requirements for a district organized under Article  
14 34 of this Code are the same as for all other school districts  
15 in this State.

16 (Source: P.A. 97-238, eff. 8-2-11.)

17 (105 ILCS 5/1D-5 new)

18 Sec. 1D-5. Repealer. This Article is repealed on June 1,  
19 2017.

20 (105 ILCS 5/18-8.05)

21 Sec. 18-8.05. Basis for apportionment of general State  
22 financial aid and supplemental general State aid to the common  
23 schools for the 1998-1999 and subsequent school years.

1 (A) General Provisions.

2 (1) The provisions of this Section apply to the 1998-1999  
3 and subsequent school years. The system of general State  
4 financial aid provided for in this Section is designed to  
5 assure that, through a combination of State financial aid and  
6 required local resources, the financial support provided each  
7 pupil in Average Daily Attendance equals or exceeds a  
8 prescribed per pupil Foundation Level. This formula approach  
9 imputes a level of per pupil Available Local Resources and  
10 provides for the basis to calculate a per pupil level of  
11 general State financial aid that, when added to Available Local  
12 Resources, equals or exceeds the Foundation Level. The amount  
13 of per pupil general State financial aid for school districts,  
14 in general, varies in inverse relation to Available Local  
15 Resources. Per pupil amounts are based upon each school  
16 district's Average Daily Attendance as that term is defined in  
17 this Section.

18 (2) In addition to general State financial aid, school  
19 districts with specified levels or concentrations of pupils  
20 from low income households are eligible to receive supplemental  
21 general State financial aid grants as provided pursuant to  
22 subsection (H). The supplemental State aid grants provided for  
23 school districts under subsection (H) shall be appropriated for  
24 distribution to school districts as part of the same line item  
25 in which the general State financial aid of school districts is  
26 appropriated under this Section.

1           (3) To receive financial assistance under this Section,  
2 school districts are required to file claims with the State  
3 Board of Education, subject to the following requirements:

4           (a) Any school district which fails for any given  
5 school year to maintain school as required by law, or to  
6 maintain a recognized school is not eligible to file for  
7 such school year any claim upon the Common School Fund. In  
8 case of nonrecognition of one or more attendance centers in  
9 a school district otherwise operating recognized schools,  
10 the claim of the district shall be reduced in the  
11 proportion which the Average Daily Attendance in the  
12 attendance center or centers bear to the Average Daily  
13 Attendance in the school district. A "recognized school"  
14 means any public school which meets the standards as  
15 established for recognition by the State Board of  
16 Education. A school district or attendance center not  
17 having recognition status at the end of a school term is  
18 entitled to receive State aid payments due upon a legal  
19 claim which was filed while it was recognized.

20           (b) School district claims filed under this Section are  
21 subject to Sections 18-9 and 18-12, except as otherwise  
22 provided in this Section.

23           (c) If a school district operates a full year school  
24 under Section 10-19.1, the general State aid to the school  
25 district shall be determined by the State Board of  
26 Education in accordance with this Section as near as may be

1 applicable.

2 (d) (Blank).

3 (4) Except as provided in subsections (H) and (L), the  
4 board of any district receiving any of the grants provided for  
5 in this Section may apply those funds to any fund so received  
6 for which that board is authorized to make expenditures by law.

7 School districts are not required to exert a minimum  
8 Operating Tax Rate in order to qualify for assistance under  
9 this Section.

10 (5) As used in this Section the following terms, when  
11 capitalized, shall have the meaning ascribed herein:

12 (a) "Average Daily Attendance": A count of pupil  
13 attendance in school, averaged as provided for in  
14 subsection (C) and utilized in deriving per pupil financial  
15 support levels.

16 (b) "Available Local Resources": A computation of  
17 local financial support, calculated on the basis of Average  
18 Daily Attendance and derived as provided pursuant to  
19 subsection (D).

20 (c) "Corporate Personal Property Replacement Taxes":  
21 Funds paid to local school districts pursuant to "An Act in  
22 relation to the abolition of ad valorem personal property  
23 tax and the replacement of revenues lost thereby, and  
24 amending and repealing certain Acts and parts of Acts in  
25 connection therewith", certified August 14, 1979, as  
26 amended (Public Act 81-1st S.S.-1).

1           (d) "Foundation Level": A prescribed level of per pupil  
2 financial support as provided for in subsection (B).

3           (e) "Operating Tax Rate": All school district property  
4 taxes extended for all purposes, except Bond and Interest,  
5 Summer School, Rent, Capital Improvement, and Vocational  
6 Education Building purposes.

7 (B) Foundation Level.

8           (1) The Foundation Level is a figure established by the  
9 State representing the minimum level of per pupil financial  
10 support that should be available to provide for the basic  
11 education of each pupil in Average Daily Attendance. As set  
12 forth in this Section, each school district is assumed to exert  
13 a sufficient local taxing effort such that, in combination with  
14 the aggregate of general State financial aid provided the  
15 district, an aggregate of State and local resources are  
16 available to meet the basic education needs of pupils in the  
17 district.

18           (2) For the 1998-1999 school year, the Foundation Level of  
19 support is \$4,225. For the 1999-2000 school year, the  
20 Foundation Level of support is \$4,325. For the 2000-2001 school  
21 year, the Foundation Level of support is \$4,425. For the  
22 2001-2002 school year and 2002-2003 school year, the Foundation  
23 Level of support is \$4,560. For the 2003-2004 school year, the  
24 Foundation Level of support is \$4,810. For the 2004-2005 school  
25 year, the Foundation Level of support is \$4,964. For the

1 2005-2006 school year, the Foundation Level of support is  
2 \$5,164. For the 2006-2007 school year, the Foundation Level of  
3 support is \$5,334. For the 2007-2008 school year, the  
4 Foundation Level of support is \$5,734. For the 2008-2009 school  
5 year, the Foundation Level of support is \$5,959.

6 (3) For the 2009-2010 school year and each school year  
7 thereafter, the Foundation Level of support is \$6,119 or such  
8 greater amount as may be established by law by the General  
9 Assembly.

10 (C) Average Daily Attendance.

11 (1) For purposes of calculating general State aid pursuant  
12 to subsection (E), an Average Daily Attendance figure shall be  
13 utilized. The Average Daily Attendance figure for formula  
14 calculation purposes shall be the monthly average of the actual  
15 number of pupils in attendance of each school district, as  
16 further averaged for the best 3 months of pupil attendance for  
17 each school district. In compiling the figures for the number  
18 of pupils in attendance, school districts and the State Board  
19 of Education shall, for purposes of general State aid funding,  
20 conform attendance figures to the requirements of subsection  
21 (F).

22 (2) The Average Daily Attendance figures utilized in  
23 subsection (E) shall be the requisite attendance data for the  
24 school year immediately preceding the school year for which  
25 general State aid is being calculated or the average of the



1 attendance data for the 3 preceding school years, whichever is  
2 greater. The Average Daily Attendance figures utilized in  
3 subsection (H) shall be the requisite attendance data for the  
4 school year immediately preceding the school year for which  
5 general State aid is being calculated.

6 (D) Available Local Resources.

7 (1) For purposes of calculating general State aid pursuant  
8 to subsection (E), a representation of Available Local  
9 Resources per pupil, as that term is defined and determined in  
10 this subsection, shall be utilized. Available Local Resources  
11 per pupil shall include a calculated dollar amount representing  
12 local school district revenues from local property taxes and  
13 from Corporate Personal Property Replacement Taxes, expressed  
14 on the basis of pupils in Average Daily Attendance. Calculation  
15 of Available Local Resources shall exclude any tax amnesty  
16 funds received as a result of Public Act 93-26.

17 (2) In determining a school district's revenue from local  
18 property taxes, the State Board of Education shall utilize the  
19 equalized assessed valuation of all taxable property of each  
20 school district as of September 30 of the previous year. The  
21 equalized assessed valuation utilized shall be obtained and  
22 determined as provided in subsection (G).

23 (3) For school districts maintaining grades kindergarten  
24 through 12, local property tax revenues per pupil shall be  
25 calculated as the product of the applicable equalized assessed

1 valuation for the district multiplied by 3.00%, and divided by  
2 the district's Average Daily Attendance figure. For school  
3 districts maintaining grades kindergarten through 8, local  
4 property tax revenues per pupil shall be calculated as the  
5 product of the applicable equalized assessed valuation for the  
6 district multiplied by 2.30%, and divided by the district's  
7 Average Daily Attendance figure. For school districts  
8 maintaining grades 9 through 12, local property tax revenues  
9 per pupil shall be the applicable equalized assessed valuation  
10 of the district multiplied by 1.05%, and divided by the  
11 district's Average Daily Attendance figure.

12 For partial elementary unit districts created pursuant to  
13 Article 11E of this Code, local property tax revenues per pupil  
14 shall be calculated as the product of the equalized assessed  
15 valuation for property within the partial elementary unit  
16 district for elementary purposes, as defined in Article 11E of  
17 this Code, multiplied by 2.06% and divided by the district's  
18 Average Daily Attendance figure, plus the product of the  
19 equalized assessed valuation for property within the partial  
20 elementary unit district for high school purposes, as defined  
21 in Article 11E of this Code, multiplied by 0.94% and divided by  
22 the district's Average Daily Attendance figure.

23 (4) The Corporate Personal Property Replacement Taxes paid  
24 to each school district during the calendar year one year  
25 before the calendar year in which a school year begins, divided  
26 by the Average Daily Attendance figure for that district, shall

1 be added to the local property tax revenues per pupil as  
2 derived by the application of the immediately preceding  
3 paragraph (3). The sum of these per pupil figures for each  
4 school district shall constitute Available Local Resources as  
5 that term is utilized in subsection (E) in the calculation of  
6 general State aid.

7 (E) Computation of General State Aid.

8 (1) For each school year, the amount of general State aid  
9 allotted to a school district shall be computed by the State  
10 Board of Education as provided in this subsection.

11 (2) For any school district for which Available Local  
12 Resources per pupil is less than the product of 0.93 times the  
13 Foundation Level, general State aid for that district shall be  
14 calculated as an amount equal to the Foundation Level minus  
15 Available Local Resources, multiplied by the Average Daily  
16 Attendance of the school district.

17 (3) For any school district for which Available Local  
18 Resources per pupil is equal to or greater than the product of  
19 0.93 times the Foundation Level and less than the product of  
20 1.75 times the Foundation Level, the general State aid per  
21 pupil shall be a decimal proportion of the Foundation Level  
22 derived using a linear algorithm. Under this linear algorithm,  
23 the calculated general State aid per pupil shall decline in  
24 direct linear fashion from 0.07 times the Foundation Level for  
25 a school district with Available Local Resources equal to the

1 product of 0.93 times the Foundation Level, to 0.05 times the  
2 Foundation Level for a school district with Available Local  
3 Resources equal to the product of 1.75 times the Foundation  
4 Level. The allocation of general State aid for school districts  
5 subject to this paragraph 3 shall be the calculated general  
6 State aid per pupil figure multiplied by the Average Daily  
7 Attendance of the school district.

8 (4) For any school district for which Available Local  
9 Resources per pupil equals or exceeds the product of 1.75 times  
10 the Foundation Level, the general State aid for the school  
11 district shall be calculated as the product of \$218 multiplied  
12 by the Average Daily Attendance of the school district.

13 (5) The amount of general State aid allocated to a school  
14 district for the 1999-2000 school year meeting the requirements  
15 set forth in paragraph (4) of subsection (G) shall be increased  
16 by an amount equal to the general State aid that would have  
17 been received by the district for the 1998-1999 school year by  
18 utilizing the Extension Limitation Equalized Assessed  
19 Valuation as calculated in paragraph (4) of subsection (G) less  
20 the general State aid allotted for the 1998-1999 school year.  
21 This amount shall be deemed a one time increase, and shall not  
22 affect any future general State aid allocations.

23 (F) Compilation of Average Daily Attendance.

24 (1) Each school district shall, by July 1 of each year,  
25 submit to the State Board of Education, on forms prescribed by

1 the State Board of Education, attendance figures for the school  
2 year that began in the preceding calendar year. The attendance  
3 information so transmitted shall identify the average daily  
4 attendance figures for each month of the school year. Beginning  
5 with the general State aid claim form for the 2002-2003 school  
6 year, districts shall calculate Average Daily Attendance as  
7 provided in subdivisions (a), (b), and (c) of this paragraph  
8 (1).

9 (a) In districts that do not hold year-round classes,  
10 days of attendance in August shall be added to the month of  
11 September and any days of attendance in June shall be added  
12 to the month of May.

13 (b) In districts in which all buildings hold year-round  
14 classes, days of attendance in July and August shall be  
15 added to the month of September and any days of attendance  
16 in June shall be added to the month of May.

17 (c) In districts in which some buildings, but not all,  
18 hold year-round classes, for the non-year-round buildings,  
19 days of attendance in August shall be added to the month of  
20 September and any days of attendance in June shall be added  
21 to the month of May. The average daily attendance for the  
22 year-round buildings shall be computed as provided in  
23 subdivision (b) of this paragraph (1). To calculate the  
24 Average Daily Attendance for the district, the average  
25 daily attendance for the year-round buildings shall be  
26 multiplied by the days in session for the non-year-round

1 buildings for each month and added to the monthly  
2 attendance of the non-year-round buildings.

3 Except as otherwise provided in this Section, days of  
4 attendance by pupils shall be counted only for sessions of not  
5 less than 5 clock hours of school work per day under direct  
6 supervision of: (i) teachers, or (ii) non-teaching personnel or  
7 volunteer personnel when engaging in non-teaching duties and  
8 supervising in those instances specified in subsection (a) of  
9 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils  
10 of legal school age and in kindergarten and grades 1 through  
11 12.

12 Days of attendance by tuition pupils shall be accredited  
13 only to the districts that pay the tuition to a recognized  
14 school.

15 (2) Days of attendance by pupils of less than 5 clock hours  
16 of school shall be subject to the following provisions in the  
17 compilation of Average Daily Attendance.

18 (a) Pupils regularly enrolled in a public school for  
19 only a part of the school day may be counted on the basis  
20 of 1/6 day for every class hour of instruction of 40  
21 minutes or more attended pursuant to such enrollment,  
22 unless a pupil is enrolled in a block-schedule format of 80  
23 minutes or more of instruction, in which case the pupil may  
24 be counted on the basis of the proportion of minutes of  
25 school work completed each day to the minimum number of  
26 minutes that school work is required to be held that day.

1 (b) (Blank).

2 (c) A session of 4 or more clock hours may be counted  
3 as a day of attendance upon certification by the regional  
4 superintendent, and approved by the State Superintendent  
5 of Education to the extent that the district has been  
6 forced to use daily multiple sessions.

7 (d) A session of 3 or more clock hours may be counted  
8 as a day of attendance (1) when the remainder of the school  
9 day or at least 2 hours in the evening of that day is  
10 utilized for an in-service training program for teachers,  
11 up to a maximum of 5 days per school year, provided a  
12 district conducts an in-service training program for  
13 teachers in accordance with Section 10-22.39 of this Code;  
14 or, in lieu of 4 such days, 2 full days may be used, in  
15 which event each such day may be counted as a day required  
16 for a legal school calendar pursuant to Section 10-19 of  
17 this Code; (1.5) when, of the 5 days allowed under item  
18 (1), a maximum of 4 days are used for parent-teacher  
19 conferences, or, in lieu of 4 such days, 2 full days are  
20 used, in which case each such day may be counted as a  
21 calendar day required under Section 10-19 of this Code,  
22 provided that the full-day, parent-teacher conference  
23 consists of (i) a minimum of 5 clock hours of  
24 parent-teacher conferences, (ii) both a minimum of 2 clock  
25 hours of parent-teacher conferences held in the evening  
26 following a full day of student attendance, as specified in

1 subsection (F)(1)(c), and a minimum of 3 clock hours of  
2 parent-teacher conferences held on the day immediately  
3 following evening parent-teacher conferences, or (iii)  
4 multiple parent-teacher conferences held in the evenings  
5 following full days of student attendance, as specified in  
6 subsection (F)(1)(c), in which the time used for the  
7 parent-teacher conferences is equivalent to a minimum of 5  
8 clock hours; and (2) when days in addition to those  
9 provided in items (1) and (1.5) are scheduled by a school  
10 pursuant to its school improvement plan adopted under  
11 Article 34 or its revised or amended school improvement  
12 plan adopted under Article 2, provided that (i) such  
13 sessions of 3 or more clock hours are scheduled to occur at  
14 regular intervals, (ii) the remainder of the school days in  
15 which such sessions occur are utilized for in-service  
16 training programs or other staff development activities  
17 for teachers, and (iii) a sufficient number of minutes of  
18 school work under the direct supervision of teachers are  
19 added to the school days between such regularly scheduled  
20 sessions to accumulate not less than the number of minutes  
21 by which such sessions of 3 or more clock hours fall short  
22 of 5 clock hours. Any full days used for the purposes of  
23 this paragraph shall not be considered for computing  
24 average daily attendance. Days scheduled for in-service  
25 training programs, staff development activities, or  
26 parent-teacher conferences may be scheduled separately for



1 different grade levels and different attendance centers of  
2 the district.

3 (e) A session of not less than one clock hour of  
4 teaching hospitalized or homebound pupils on-site or by  
5 telephone to the classroom may be counted as 1/2 day of  
6 attendance, however these pupils must receive 4 or more  
7 clock hours of instruction to be counted for a full day of  
8 attendance.

9 (f) A session of at least 4 clock hours may be counted  
10 as a day of attendance for first grade pupils, and pupils  
11 in full day kindergartens, and a session of 2 or more hours  
12 may be counted as 1/2 day of attendance by pupils in  
13 kindergartens which provide only 1/2 day of attendance.

14 (g) For children with disabilities who are below the  
15 age of 6 years and who cannot attend 2 or more clock hours  
16 because of their disability or immaturity, a session of not  
17 less than one clock hour may be counted as 1/2 day of  
18 attendance; however for such children whose educational  
19 needs so require a session of 4 or more clock hours may be  
20 counted as a full day of attendance.

21 (h) A recognized kindergarten which provides for only  
22 1/2 day of attendance by each pupil shall not have more  
23 than 1/2 day of attendance counted in any one day. However,  
24 kindergartens may count 2 1/2 days of attendance in any 5  
25 consecutive school days. When a pupil attends such a  
26 kindergarten for 2 half days on any one school day, the

1 pupil shall have the following day as a day absent from  
2 school, unless the school district obtains permission in  
3 writing from the State Superintendent of Education.  
4 Attendance at kindergartens which provide for a full day of  
5 attendance by each pupil shall be counted the same as  
6 attendance by first grade pupils. Only the first year of  
7 attendance in one kindergarten shall be counted, except in  
8 case of children who entered the kindergarten in their  
9 fifth year whose educational development requires a second  
10 year of kindergarten as determined under the rules and  
11 regulations of the State Board of Education.

12 (i) On the days when the assessment that includes a  
13 college and career ready determination is administered  
14 under subsection (c) of Section 2-3.64a-5 of this Code, the  
15 day of attendance for a pupil whose school day must be  
16 shortened to accommodate required testing procedures may  
17 be less than 5 clock hours and shall be counted towards the  
18 176 days of actual pupil attendance required under Section  
19 10-19 of this Code, provided that a sufficient number of  
20 minutes of school work in excess of 5 clock hours are first  
21 completed on other school days to compensate for the loss  
22 of school work on the examination days.

23 (j) Pupils enrolled in a remote educational program  
24 established under Section 10-29 of this Code may be counted  
25 on the basis of one-fifth day of attendance for every clock  
26 hour of instruction attended in the remote educational

1 program, provided that, in any month, the school district  
2 may not claim for a student enrolled in a remote  
3 educational program more days of attendance than the  
4 maximum number of days of attendance the district can claim  
5 (i) for students enrolled in a building holding year-round  
6 classes if the student is classified as participating in  
7 the remote educational program on a year-round schedule or  
8 (ii) for students enrolled in a building not holding  
9 year-round classes if the student is not classified as  
10 participating in the remote educational program on a  
11 year-round schedule.

12 (G) Equalized Assessed Valuation Data.

13 (1) For purposes of the calculation of Available Local  
14 Resources required pursuant to subsection (D), the State Board  
15 of Education shall secure from the Department of Revenue the  
16 value as equalized or assessed by the Department of Revenue of  
17 all taxable property of every school district, together with  
18 (i) the applicable tax rate used in extending taxes for the  
19 funds of the district as of September 30 of the previous year  
20 and (ii) the limiting rate for all school districts subject to  
21 property tax extension limitations as imposed under the  
22 Property Tax Extension Limitation Law.

23 The Department of Revenue shall add to the equalized  
24 assessed value of all taxable property of each school district  
25 situated entirely or partially within a county that is or was

1 subject to the provisions of Section 15-176 or 15-177 of the  
2 Property Tax Code (a) an amount equal to the total amount by  
3 which the homestead exemption allowed under Section 15-176 or  
4 15-177 of the Property Tax Code for real property situated in  
5 that school district exceeds the total amount that would have  
6 been allowed in that school district if the maximum reduction  
7 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in  
8 all other counties in tax year 2003 or (ii) \$5,000 in all  
9 counties in tax year 2004 and thereafter and (b) an amount  
10 equal to the aggregate amount for the taxable year of all  
11 additional exemptions under Section 15-175 of the Property Tax  
12 Code for owners with a household income of \$30,000 or less. The  
13 county clerk of any county that is or was subject to the  
14 provisions of Section 15-176 or 15-177 of the Property Tax Code  
15 shall annually calculate and certify to the Department of  
16 Revenue for each school district all homestead exemption  
17 amounts under Section 15-176 or 15-177 of the Property Tax Code  
18 and all amounts of additional exemptions under Section 15-175  
19 of the Property Tax Code for owners with a household income of  
20 \$30,000 or less. It is the intent of this paragraph that if the  
21 general homestead exemption for a parcel of property is  
22 determined under Section 15-176 or 15-177 of the Property Tax  
23 Code rather than Section 15-175, then the calculation of  
24 Available Local Resources shall not be affected by the  
25 difference, if any, between the amount of the general homestead  
26 exemption allowed for that parcel of property under Section

1 15-176 or 15-177 of the Property Tax Code and the amount that  
2 would have been allowed had the general homestead exemption for  
3 that parcel of property been determined under Section 15-175 of  
4 the Property Tax Code. It is further the intent of this  
5 paragraph that if additional exemptions are allowed under  
6 Section 15-175 of the Property Tax Code for owners with a  
7 household income of less than \$30,000, then the calculation of  
8 Available Local Resources shall not be affected by the  
9 difference, if any, because of those additional exemptions.

10 This equalized assessed valuation, as adjusted further by  
11 the requirements of this subsection, shall be utilized in the  
12 calculation of Available Local Resources.

13 (2) The equalized assessed valuation in paragraph (1) shall  
14 be adjusted, as applicable, in the following manner:

15 (a) For the purposes of calculating State aid under  
16 this Section, with respect to any part of a school district  
17 within a redevelopment project area in respect to which a  
18 municipality has adopted tax increment allocation  
19 financing pursuant to the Tax Increment Allocation  
20 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11  
21 of the Illinois Municipal Code or the Industrial Jobs  
22 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the  
23 Illinois Municipal Code, no part of the current equalized  
24 assessed valuation of real property located in any such  
25 project area which is attributable to an increase above the  
26 total initial equalized assessed valuation of such

1 property shall be used as part of the equalized assessed  
2 valuation of the district, until such time as all  
3 redevelopment project costs have been paid, as provided in  
4 Section 11-74.4-8 of the Tax Increment Allocation  
5 Redevelopment Act or in Section 11-74.6-35 of the  
6 Industrial Jobs Recovery Law. For the purpose of the  
7 equalized assessed valuation of the district, the total  
8 initial equalized assessed valuation or the current  
9 equalized assessed valuation, whichever is lower, shall be  
10 used until such time as all redevelopment project costs  
11 have been paid.

12 (b) The real property equalized assessed valuation for  
13 a school district shall be adjusted by subtracting from the  
14 real property value as equalized or assessed by the  
15 Department of Revenue for the district an amount computed  
16 by dividing the amount of any abatement of taxes under  
17 Section 18-170 of the Property Tax Code by 3.00% for a  
18 district maintaining grades kindergarten through 12, by  
19 2.30% for a district maintaining grades kindergarten  
20 through 8, or by 1.05% for a district maintaining grades 9  
21 through 12 and adjusted by an amount computed by dividing  
22 the amount of any abatement of taxes under subsection (a)  
23 of Section 18-165 of the Property Tax Code by the same  
24 percentage rates for district type as specified in this  
25 subparagraph (b).

26 (3) For the 1999-2000 school year and each school year

1 thereafter, if a school district meets all of the criteria of  
2 this subsection (G) (3), the school district's Available Local  
3 Resources shall be calculated under subsection (D) using the  
4 district's Extension Limitation Equalized Assessed Valuation  
5 as calculated under this subsection (G) (3).

6 For purposes of this subsection (G) (3) the following terms  
7 shall have the following meanings:

8 "Budget Year": The school year for which general State  
9 aid is calculated and awarded under subsection (E).

10 "Base Tax Year": The property tax levy year used to  
11 calculate the Budget Year allocation of general State aid.

12 "Preceding Tax Year": The property tax levy year  
13 immediately preceding the Base Tax Year.

14 "Base Tax Year's Tax Extension": The product of the  
15 equalized assessed valuation utilized by the County Clerk  
16 in the Base Tax Year multiplied by the limiting rate as  
17 calculated by the County Clerk and defined in the Property  
18 Tax Extension Limitation Law.

19 "Preceding Tax Year's Tax Extension": The product of  
20 the equalized assessed valuation utilized by the County  
21 Clerk in the Preceding Tax Year multiplied by the Operating  
22 Tax Rate as defined in subsection (A).

23 "Extension Limitation Ratio": A numerical ratio,  
24 certified by the County Clerk, in which the numerator is  
25 the Base Tax Year's Tax Extension and the denominator is  
26 the Preceding Tax Year's Tax Extension.

1           "Operating Tax Rate": The operating tax rate as defined  
2           in subsection (A).

3           If a school district is subject to property tax extension  
4           limitations as imposed under the Property Tax Extension  
5           Limitation Law, the State Board of Education shall calculate  
6           the Extension Limitation Equalized Assessed Valuation of that  
7           district. For the 1999-2000 school year, the Extension  
8           Limitation Equalized Assessed Valuation of a school district as  
9           calculated by the State Board of Education shall be equal to  
10          the product of the district's 1996 Equalized Assessed Valuation  
11          and the district's Extension Limitation Ratio. Except as  
12          otherwise provided in this paragraph for a school district that  
13          has approved or does approve an increase in its limiting rate,  
14          for the 2000-2001 school year and each school year thereafter,  
15          the Extension Limitation Equalized Assessed Valuation of a  
16          school district as calculated by the State Board of Education  
17          shall be equal to the product of the Equalized Assessed  
18          Valuation last used in the calculation of general State aid and  
19          the district's Extension Limitation Ratio. If the Extension  
20          Limitation Equalized Assessed Valuation of a school district as  
21          calculated under this subsection (G)(3) is less than the  
22          district's equalized assessed valuation as calculated pursuant  
23          to subsections (G)(1) and (G)(2), then for purposes of  
24          calculating the district's general State aid for the Budget  
25          Year pursuant to subsection (E), that Extension Limitation  
26          Equalized Assessed Valuation shall be utilized to calculate the



1 district's Available Local Resources under subsection (D). For  
2 the 2009-2010 school year and each school year thereafter, if a  
3 school district has approved or does approve an increase in its  
4 limiting rate, pursuant to Section 18-190 of the Property Tax  
5 Code, affecting the Base Tax Year, the Extension Limitation  
6 Equalized Assessed Valuation of the school district, as  
7 calculated by the State Board of Education, shall be equal to  
8 the product of the Equalized Assessed Valuation last used in  
9 the calculation of general State aid times an amount equal to  
10 one plus the percentage increase, if any, in the Consumer Price  
11 Index for all Urban Consumers for all items published by the  
12 United States Department of Labor for the 12-month calendar  
13 year preceding the Base Tax Year, plus the Equalized Assessed  
14 Valuation of new property, annexed property, and recovered tax  
15 increment value and minus the Equalized Assessed Valuation of  
16 disconnected property. New property and recovered tax  
17 increment value shall have the meanings set forth in the  
18 Property Tax Extension Limitation Law.

19 Partial elementary unit districts created in accordance  
20 with Article 11E of this Code shall not be eligible for the  
21 adjustment in this subsection (G)(3) until the fifth year  
22 following the effective date of the reorganization.

23 (3.5) For the 2010-2011 school year and each school year  
24 thereafter, if a school district's boundaries span multiple  
25 counties, then the Department of Revenue shall send to the  
26 State Board of Education, for the purpose of calculating

1 general State aid, the limiting rate and individual rates by  
2 purpose for the county that contains the majority of the school  
3 district's Equalized Assessed Valuation.

4 (4) For the purposes of calculating general State aid for  
5 the 1999-2000 school year only, if a school district  
6 experienced a triennial reassessment on the equalized assessed  
7 valuation used in calculating its general State financial aid  
8 apportionment for the 1998-1999 school year, the State Board of  
9 Education shall calculate the Extension Limitation Equalized  
10 Assessed Valuation that would have been used to calculate the  
11 district's 1998-1999 general State aid. This amount shall equal  
12 the product of the equalized assessed valuation used to  
13 calculate general State aid for the 1997-1998 school year and  
14 the district's Extension Limitation Ratio. If the Extension  
15 Limitation Equalized Assessed Valuation of the school district  
16 as calculated under this paragraph (4) is less than the  
17 district's equalized assessed valuation utilized in  
18 calculating the district's 1998-1999 general State aid  
19 allocation, then for purposes of calculating the district's  
20 general State aid pursuant to paragraph (5) of subsection (E),  
21 that Extension Limitation Equalized Assessed Valuation shall  
22 be utilized to calculate the district's Available Local  
23 Resources.

24 (5) For school districts having a majority of their  
25 equalized assessed valuation in any county except Cook, DuPage,  
26 Kane, Lake, McHenry, or Will, if the amount of general State

1 aid allocated to the school district for the 1999-2000 school  
2 year under the provisions of subsection (E), (H), and (J) of  
3 this Section is less than the amount of general State aid  
4 allocated to the district for the 1998-1999 school year under  
5 these subsections, then the general State aid of the district  
6 for the 1999-2000 school year only shall be increased by the  
7 difference between these amounts. The total payments made under  
8 this paragraph (5) shall not exceed \$14,000,000. Claims shall  
9 be prorated if they exceed \$14,000,000.

10 (H) Supplemental General State Aid.

11 (1) In addition to the general State aid a school district  
12 is allotted pursuant to subsection (E), qualifying school  
13 districts shall receive a grant, paid in conjunction with a  
14 district's payments of general State aid, for supplemental  
15 general State aid based upon the concentration level of  
16 children from low-income households within the school  
17 district. Supplemental State aid grants provided for school  
18 districts under this subsection shall be appropriated for  
19 distribution to school districts as part of the same line item  
20 in which the general State financial aid of school districts is  
21 appropriated under this Section.

22 (1.5) This paragraph (1.5) applies only to those school  
23 years preceding the 2003-2004 school year. For purposes of this  
24 subsection (H), the term "Low-Income Concentration Level"  
25 shall be the low-income eligible pupil count from the most

1 recently available federal census divided by the Average Daily  
2 Attendance of the school district. If, however, (i) the  
3 percentage decrease from the 2 most recent federal censuses in  
4 the low-income eligible pupil count of a high school district  
5 with fewer than 400 students exceeds by 75% or more the  
6 percentage change in the total low-income eligible pupil count  
7 of contiguous elementary school districts, whose boundaries  
8 are coterminous with the high school district, or (ii) a high  
9 school district within 2 counties and serving 5 elementary  
10 school districts, whose boundaries are coterminous with the  
11 high school district, has a percentage decrease from the 2 most  
12 recent federal censuses in the low-income eligible pupil count  
13 and there is a percentage increase in the total low-income  
14 eligible pupil count of a majority of the elementary school  
15 districts in excess of 50% from the 2 most recent federal  
16 censuses, then the high school district's low-income eligible  
17 pupil count from the earlier federal census shall be the number  
18 used as the low-income eligible pupil count for the high school  
19 district, for purposes of this subsection (H). The changes made  
20 to this paragraph (1) by Public Act 92-28 shall apply to  
21 supplemental general State aid grants for school years  
22 preceding the 2003-2004 school year that are paid in fiscal  
23 year 1999 or thereafter and to any State aid payments made in  
24 fiscal year 1994 through fiscal year 1998 pursuant to  
25 subsection 1(n) of Section 18-8 of this Code (which was  
26 repealed on July 1, 1998), and any high school district that is

1 affected by Public Act 92-28 is entitled to a recomputation of  
2 its supplemental general State aid grant or State aid paid in  
3 any of those fiscal years. This recomputation shall not be  
4 affected by any other funding.

5 (1.10) This paragraph (1.10) applies to the 2003-2004  
6 school year and each school year thereafter. For purposes of  
7 this subsection (H), the term "Low-Income Concentration Level"  
8 shall, for each fiscal year, be the low-income eligible pupil  
9 count as of July 1 of the immediately preceding fiscal year (as  
10 determined by the Department of Human Services based on the  
11 number of pupils who are eligible for at least one of the  
12 following low income programs: Medicaid, the Children's Health  
13 Insurance Program, TANF, or Food Stamps, excluding pupils who  
14 are eligible for services provided by the Department of  
15 Children and Family Services, averaged over the 2 immediately  
16 preceding fiscal years for fiscal year 2004 and over the 3  
17 immediately preceding fiscal years for each fiscal year  
18 thereafter) divided by the Average Daily Attendance of the  
19 school district.

20 (2) Supplemental general State aid pursuant to this  
21 subsection (H) shall be provided as follows for the 1998-1999,  
22 1999-2000, and 2000-2001 school years only:

23 (a) For any school district with a Low Income  
24 Concentration Level of at least 20% and less than 35%, the  
25 grant for any school year shall be \$800 multiplied by the  
26 low income eligible pupil count.

1           (b) For any school district with a Low Income  
2 Concentration Level of at least 35% and less than 50%, the  
3 grant for the 1998-1999 school year shall be \$1,100  
4 multiplied by the low income eligible pupil count.

5           (c) For any school district with a Low Income  
6 Concentration Level of at least 50% and less than 60%, the  
7 grant for the 1998-99 school year shall be \$1,500  
8 multiplied by the low income eligible pupil count.

9           (d) For any school district with a Low Income  
10 Concentration Level of 60% or more, the grant for the  
11 1998-99 school year shall be \$1,900 multiplied by the low  
12 income eligible pupil count.

13           (e) For the 1999-2000 school year, the per pupil amount  
14 specified in subparagraphs (b), (c), and (d) immediately  
15 above shall be increased to \$1,243, \$1,600, and \$2,000,  
16 respectively.

17           (f) For the 2000-2001 school year, the per pupil  
18 amounts specified in subparagraphs (b), (c), and (d)  
19 immediately above shall be \$1,273, \$1,640, and \$2,050,  
20 respectively.

21           (2.5) Supplemental general State aid pursuant to this  
22 subsection (H) shall be provided as follows for the 2002-2003  
23 school year:

24           (a) For any school district with a Low Income  
25 Concentration Level of less than 10%, the grant for each  
26 school year shall be \$355 multiplied by the low income

1 eligible pupil count.

2 (b) For any school district with a Low Income  
3 Concentration Level of at least 10% and less than 20%, the  
4 grant for each school year shall be \$675 multiplied by the  
5 low income eligible pupil count.

6 (c) For any school district with a Low Income  
7 Concentration Level of at least 20% and less than 35%, the  
8 grant for each school year shall be \$1,330 multiplied by  
9 the low income eligible pupil count.

10 (d) For any school district with a Low Income  
11 Concentration Level of at least 35% and less than 50%, the  
12 grant for each school year shall be \$1,362 multiplied by  
13 the low income eligible pupil count.

14 (e) For any school district with a Low Income  
15 Concentration Level of at least 50% and less than 60%, the  
16 grant for each school year shall be \$1,680 multiplied by  
17 the low income eligible pupil count.

18 (f) For any school district with a Low Income  
19 Concentration Level of 60% or more, the grant for each  
20 school year shall be \$2,080 multiplied by the low income  
21 eligible pupil count.

22 (2.10) Except as otherwise provided, supplemental general  
23 State aid pursuant to this subsection (H) shall be provided as  
24 follows for the 2003-2004 school year and each school year  
25 thereafter:

26 (a) For any school district with a Low Income

1 Concentration Level of 15% or less, the grant for each  
2 school year shall be \$355 multiplied by the low income  
3 eligible pupil count.

4 (b) For any school district with a Low Income  
5 Concentration Level greater than 15%, the grant for each  
6 school year shall be \$294.25 added to the product of \$2,700  
7 and the square of the Low Income Concentration Level, all  
8 multiplied by the low income eligible pupil count.

9 For the 2003-2004 school year and each school year  
10 thereafter through the 2008-2009 school year only, the grant  
11 shall be no less than the grant for the 2002-2003 school year.  
12 For the 2009-2010 school year only, the grant shall be no less  
13 than the grant for the 2002-2003 school year multiplied by  
14 0.66. For the 2010-2011 school year only, the grant shall be no  
15 less than the grant for the 2002-2003 school year multiplied by  
16 0.33. Notwithstanding the provisions of this paragraph to the  
17 contrary, if for any school year supplemental general State aid  
18 grants are prorated as provided in paragraph (1) of this  
19 subsection (H), then the grants under this paragraph shall be  
20 prorated.

21 For the 2003-2004 school year only, the grant shall be no  
22 greater than the grant received during the 2002-2003 school  
23 year added to the product of 0.25 multiplied by the difference  
24 between the grant amount calculated under subsection (a) or (b)  
25 of this paragraph (2.10), whichever is applicable, and the  
26 grant received during the 2002-2003 school year. For the



1 2004-2005 school year only, the grant shall be no greater than  
2 the grant received during the 2002-2003 school year added to  
3 the product of 0.50 multiplied by the difference between the  
4 grant amount calculated under subsection (a) or (b) of this  
5 paragraph (2.10), whichever is applicable, and the grant  
6 received during the 2002-2003 school year. For the 2005-2006  
7 school year only, the grant shall be no greater than the grant  
8 received during the 2002-2003 school year added to the product  
9 of 0.75 multiplied by the difference between the grant amount  
10 calculated under subsection (a) or (b) of this paragraph  
11 (2.10), whichever is applicable, and the grant received during  
12 the 2002-2003 school year.

13 (3) School districts with an Average Daily Attendance of  
14 more than 1,000 and less than 50,000 that qualify for  
15 supplemental general State aid pursuant to this subsection  
16 shall submit a plan to the State Board of Education prior to  
17 October 30 of each year for the use of the funds resulting from  
18 this grant of supplemental general State aid for the  
19 improvement of instruction in which priority is given to  
20 meeting the education needs of disadvantaged children. Such  
21 plan shall be submitted in accordance with rules and  
22 regulations promulgated by the State Board of Education.

23 (4) School districts with an Average Daily Attendance of  
24 50,000 or more that qualify for supplemental general State aid  
25 pursuant to this subsection shall be required to distribute  
26 from funds available pursuant to this Section, no less than

1 \$261,000,000 in accordance with the following requirements:

2 (a) The required amounts shall be distributed to the  
3 attendance centers within the district in proportion to the  
4 number of pupils enrolled at each attendance center who are  
5 eligible to receive free or reduced-price lunches or  
6 breakfasts under the federal Child Nutrition Act of 1966  
7 and under the National School Lunch Act during the  
8 immediately preceding school year.

9 (b) The distribution of these portions of supplemental  
10 and general State aid among attendance centers according to  
11 these requirements shall not be compensated for or  
12 contravened by adjustments of the total of other funds  
13 appropriated to any attendance centers, and the Board of  
14 Education shall utilize funding from one or several sources  
15 in order to fully implement this provision annually prior  
16 to the opening of school.

17 (c) Each attendance center shall be provided by the  
18 school district a distribution of noncategorical funds and  
19 other categorical funds to which an attendance center is  
20 entitled under law in order that the general State aid and  
21 supplemental general State aid provided by application of  
22 this subsection supplements rather than supplants the  
23 noncategorical funds and other categorical funds provided  
24 by the school district to the attendance centers.

25 (d) Any funds made available under this subsection that  
26 by reason of the provisions of this subsection are not

1 required to be allocated and provided to attendance centers  
2 may be used and appropriated by the board of the district  
3 for any lawful school purpose.

4 (e) Funds received by an attendance center pursuant to  
5 this subsection shall be used by the attendance center at  
6 the discretion of the principal and local school council  
7 for programs to improve educational opportunities at  
8 qualifying schools through the following programs and  
9 services: early childhood education, reduced class size or  
10 improved adult to student classroom ratio, enrichment  
11 programs, remedial assistance, attendance improvement, and  
12 other educationally beneficial expenditures which  
13 supplement the regular and basic programs as determined by  
14 the State Board of Education. Funds provided shall not be  
15 expended for any political or lobbying purposes as defined  
16 by board rule.

17 (f) Each district subject to the provisions of this  
18 subdivision (H) (4) shall submit an acceptable plan to meet  
19 the educational needs of disadvantaged children, in  
20 compliance with the requirements of this paragraph, to the  
21 State Board of Education prior to July 15 of each year.  
22 This plan shall be consistent with the decisions of local  
23 school councils concerning the school expenditure plans  
24 developed in accordance with part 4 of Section 34-2.3. The  
25 State Board shall approve or reject the plan within 60 days  
26 after its submission. If the plan is rejected, the district

1 shall give written notice of intent to modify the plan  
2 within 15 days of the notification of rejection and then  
3 submit a modified plan within 30 days after the date of the  
4 written notice of intent to modify. Districts may amend  
5 approved plans pursuant to rules promulgated by the State  
6 Board of Education.

7 Upon notification by the State Board of Education that  
8 the district has not submitted a plan prior to July 15 or a  
9 modified plan within the time period specified herein, the  
10 State aid funds affected by that plan or modified plan  
11 shall be withheld by the State Board of Education until a  
12 plan or modified plan is submitted.

13 If the district fails to distribute State aid to  
14 attendance centers in accordance with an approved plan, the  
15 plan for the following year shall allocate funds, in  
16 addition to the funds otherwise required by this  
17 subsection, to those attendance centers which were  
18 underfunded during the previous year in amounts equal to  
19 such underfunding.

20 For purposes of determining compliance with this  
21 subsection in relation to the requirements of attendance  
22 center funding, each district subject to the provisions of  
23 this subsection shall submit as a separate document by  
24 December 1 of each year a report of expenditure data for  
25 the prior year in addition to any modification of its  
26 current plan. If it is determined that there has been a

1 failure to comply with the expenditure provisions of this  
2 subsection regarding contravention or supplanting, the  
3 State Superintendent of Education shall, within 60 days of  
4 receipt of the report, notify the district and any affected  
5 local school council. The district shall within 45 days of  
6 receipt of that notification inform the State  
7 Superintendent of Education of the remedial or corrective  
8 action to be taken, whether by amendment of the current  
9 plan, if feasible, or by adjustment in the plan for the  
10 following year. Failure to provide the expenditure report  
11 or the notification of remedial or corrective action in a  
12 timely manner shall result in a withholding of the affected  
13 funds.

14 The State Board of Education shall promulgate rules and  
15 regulations to implement the provisions of this  
16 subsection. No funds shall be released under this  
17 subdivision (H) (4) to any district that has not submitted a  
18 plan that has been approved by the State Board of  
19 Education.

20 (I) (Blank).

21 (J) (Blank).

22 (K) Grants to Laboratory and Alternative Schools.

23 In calculating the amount to be paid to the governing board

1 of a public university that operates a laboratory school under  
2 this Section or to any alternative school that is operated by a  
3 regional superintendent of schools, the State Board of  
4 Education shall require by rule such reporting requirements as  
5 it deems necessary.

6 As used in this Section, "laboratory school" means a public  
7 school which is created and operated by a public university and  
8 approved by the State Board of Education. The governing board  
9 of a public university which receives funds from the State  
10 Board under this subsection (K) may not increase the number of  
11 students enrolled in its laboratory school from a single  
12 district, if that district is already sending 50 or more  
13 students, except under a mutual agreement between the school  
14 board of a student's district of residence and the university  
15 which operates the laboratory school. A laboratory school may  
16 not have more than 1,000 students, excluding students with  
17 disabilities in a special education program.

18 As used in this Section, "alternative school" means a  
19 public school which is created and operated by a Regional  
20 Superintendent of Schools and approved by the State Board of  
21 Education. Such alternative schools may offer courses of  
22 instruction for which credit is given in regular school  
23 programs, courses to prepare students for the high school  
24 equivalency testing program or vocational and occupational  
25 training. A regional superintendent of schools may contract  
26 with a school district or a public community college district

1 to operate an alternative school. An alternative school serving  
2 more than one educational service region may be established by  
3 the regional superintendents of schools of the affected  
4 educational service regions. An alternative school serving  
5 more than one educational service region may be operated under  
6 such terms as the regional superintendents of schools of those  
7 educational service regions may agree.

8 Each laboratory and alternative school shall file, on forms  
9 provided by the State Superintendent of Education, an annual  
10 State aid claim which states the Average Daily Attendance of  
11 the school's students by month. The best 3 months' Average  
12 Daily Attendance shall be computed for each school. The general  
13 State aid entitlement shall be computed by multiplying the  
14 applicable Average Daily Attendance by the Foundation Level as  
15 determined under this Section.

16 (L) Payments, Additional Grants in Aid and Other Requirements.

17 (1) For a school district operating under the financial  
18 supervision of an Authority created under Article 34A, the  
19 general State aid otherwise payable to that district under this  
20 Section, but not the supplemental general State aid, shall be  
21 reduced by an amount equal to the budget for the operations of  
22 the Authority as certified by the Authority to the State Board  
23 of Education, and an amount equal to such reduction shall be  
24 paid to the Authority created for such district for its  
25 operating expenses in the manner provided in Section 18-11. The

1 remainder of general State school aid for any such district  
2 shall be paid in accordance with Article 34A when that Article  
3 provides for a disposition other than that provided by this  
4 Article.

5 (2) (Blank).

6 (3) Summer school. Summer school payments shall be made as  
7 provided in Section 18-4.3.

8 (4) For the 2015-2016 school year and each school year  
9 thereafter, the State Board of Education shall, subject to  
10 appropriation, provide a supplemental grant to entities that  
11 receive general State aid to limit the loss per student due to  
12 the difference between the general State aid claim as  
13 calculated under this Section and the amount appropriated for  
14 purposes of this Section divided by the Average Daily  
15 Attendance as set forth in paragraph (2) of subsection (C) of  
16 this Section. This supplemental grant must be paid first to the  
17 entity with the greatest loss per student and then to the next  
18 entity with the greatest loss per student until losses per  
19 student are reduced to their smallest possible amount given  
20 this appropriation.

21 For the 2016-2017 school year and each school year  
22 thereafter, no entity that receives general State aid may  
23 receive a smaller percentage of its general State aid claim as  
24 calculated under this Section than the entity received in the  
25 2015-2016 school year.



1 (M) Education Funding Advisory Board.

2 The Education Funding Advisory Board, hereinafter in this  
3 subsection (M) referred to as the "Board", is hereby created.  
4 The Board shall consist of 5 members who are appointed by the  
5 Governor, by and with the advice and consent of the Senate. The  
6 members appointed shall include representatives of education,  
7 business, and the general public. One of the members so  
8 appointed shall be designated by the Governor at the time the  
9 appointment is made as the chairperson of the Board. The  
10 initial members of the Board may be appointed any time after  
11 the effective date of this amendatory Act of 1997. The regular  
12 term of each member of the Board shall be for 4 years from the  
13 third Monday of January of the year in which the term of the  
14 member's appointment is to commence, except that of the 5  
15 initial members appointed to serve on the Board, the member who  
16 is appointed as the chairperson shall serve for a term that  
17 commences on the date of his or her appointment and expires on  
18 the third Monday of January, 2002, and the remaining 4 members,  
19 by lots drawn at the first meeting of the Board that is held  
20 after all 5 members are appointed, shall determine 2 of their  
21 number to serve for terms that commence on the date of their  
22 respective appointments and expire on the third Monday of  
23 January, 2001, and 2 of their number to serve for terms that  
24 commence on the date of their respective appointments and  
25 expire on the third Monday of January, 2000. All members  
26 appointed to serve on the Board shall serve until their

1       respective successors are appointed and confirmed. Vacancies  
2       shall be filled in the same manner as original appointments. If  
3       a vacancy in membership occurs at a time when the Senate is not  
4       in session, the Governor shall make a temporary appointment  
5       until the next meeting of the Senate, when he or she shall  
6       appoint, by and with the advice and consent of the Senate, a  
7       person to fill that membership for the unexpired term. If the  
8       Senate is not in session when the initial appointments are  
9       made, those appointments shall be made as in the case of  
10      vacancies.

11       The Education Funding Advisory Board shall be deemed  
12      established, and the initial members appointed by the Governor  
13      to serve as members of the Board shall take office, on the date  
14      that the Governor makes his or her appointment of the fifth  
15      initial member of the Board, whether those initial members are  
16      then serving pursuant to appointment and confirmation or  
17      pursuant to temporary appointments that are made by the  
18      Governor as in the case of vacancies.

19       The State Board of Education shall provide such staff  
20      assistance to the Education Funding Advisory Board as is  
21      reasonably required for the proper performance by the Board of  
22      its responsibilities.

23       For school years after the 2000-2001 school year, the  
24      Education Funding Advisory Board, in consultation with the  
25      State Board of Education, shall make recommendations as  
26      provided in this subsection (M) to the General Assembly for the

1 foundation level under subdivision (B) (3) of this Section and  
2 for the supplemental general State aid grant level under  
3 subsection (H) of this Section for districts with high  
4 concentrations of children from poverty. The recommended  
5 foundation level shall be determined based on a methodology  
6 which incorporates the basic education expenditures of  
7 low-spending schools exhibiting high academic performance. The  
8 Education Funding Advisory Board shall make such  
9 recommendations to the General Assembly on January 1 of odd  
10 numbered years, beginning January 1, 2001.

11 (N) (Blank).

12 (O) References.

13 (1) References in other laws to the various subdivisions of  
14 Section 18-8 as that Section existed before its repeal and  
15 replacement by this Section 18-8.05 shall be deemed to refer to  
16 the corresponding provisions of this Section 18-8.05, to the  
17 extent that those references remain applicable.

18 (2) References in other laws to State Chapter 1 funds shall  
19 be deemed to refer to the supplemental general State aid  
20 provided under subsection (H) of this Section.

21 (P) Public Act 93-838 and Public Act 93-808 make inconsistent  
22 changes to this Section. Under Section 6 of the Statute on  
23 Statutes there is an irreconcilable conflict between Public Act

1 93-808 and Public Act 93-838. Public Act 93-838, being the last  
2 acted upon, is controlling. The text of Public Act 93-838 is  
3 the law regardless of the text of Public Act 93-808.

4 (Q) State Fiscal Year 2015 Payments.

5 For payments made for State fiscal year 2015, the State  
6 Board of Education shall, for each school district, calculate  
7 that district's pro-rata share of a minimum sum of \$13,600,000  
8 or additional amounts as needed from the total net General  
9 State Aid funding as calculated under this Section that shall  
10 be deemed attributable to the provision of special educational  
11 facilities and services, as defined in Section 14-1.08 of this  
12 Code, in a manner that ensures compliance with maintenance of  
13 State financial support requirements under the federal  
14 Individuals with Disabilities Education Act. Each school  
15 district must use such funds only for the provision of special  
16 educational facilities and services, as defined in Section  
17 14-1.08 of this Code, and must comply with any expenditure  
18 verification procedures adopted by the State Board of  
19 Education.

20 (R) Repealer.

21 This Section is repealed on June 1, 2017.

22 (Source: P.A. 98-972, eff. 8-15-14; 99-2, eff. 3-26-15.)

23 (105 ILCS 5/18-21 new)

1       Sec. 18-21. General State Aid Committee.

2       (a) There is created a General State Aid Committee to  
3 propose a revised school funding formula for Illinois schools.  
4 The Committee shall consist of the following members, all of  
5 whom shall serve without compensation but shall be reimbursed  
6 for their travel expenses from appropriations to the State  
7 Board of Education available for that purpose and subject to  
8 the rules of the Legislative Travel Control Board:

9           (1) Three members appointed by the Speaker of the House  
10 of Representatives, one of whom shall serve as  
11 co-chairperson.

12           (2) Three members appointed by the Minority Leader of  
13 the House of Representatives, one of whom shall serve as  
14 co-chairperson.

15           (3) Three members appointed by the President of the  
16 Senate, one of whom shall serve as co-chairperson.

17           (4) Three members appointed by the Minority Leader of  
18 the Senate, one of whom shall serve as co-chairperson.

19       (b) The General State Aid Committee shall meet within 30  
20 days of the effective date of this amendatory Act of the 99th  
21 General Assembly. Thereafter, the Committee shall meet at the  
22 call of the co-chairpersons. The State Board of Education shall  
23 provide administrative and other support to the Committee.

24       (c) The General State Aid Committee shall propose a new  
25 school funding formula for public schools in this State. The  
26 Committee must establish a school funding formula that provides

1 adequate, equitable, transparent, and accountable distribution  
2 of funds to school districts that will prepare students for  
3 success after high school.

4 (d) The Committee shall submit its proposed school funding  
5 formula to the General Assembly for consideration on or before  
6 December 31, 2016 by filing copies of its proposal as provided  
7 in Section 3.1 of the General Assembly Organization Act. Upon  
8 filing its proposal, the Committee is dissolved.

9 (e) This Section is repealed on December 31, 2017.

10 Section 90. The State Mandates Act is amended by adding  
11 Section 8.39 as follows:

12 (30 ILCS 805/8.39 new)

13 Sec. 8.39. Exempt mandate. Notwithstanding Sections 6 and 8  
14 of this Act, no reimbursement by the State is required for the  
15 implementation of any mandate created by this amendatory Act of  
16 the 99th General Assembly.

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