

1 AMENDMENT TO HOUSE BILL 325

2 AMENDMENT NO. _____. Amend House Bill 325 as follows:

3 on page 1, line 5, after "2-3.35,", by inserting "7-1, 7-2,
4 7-4,"; and

5 on page 2, immediately below line 16, by inserting the
6 following:

7 "(105 ILCS 5/7-1) (from Ch. 122, par. 7-1)

8 Sec. 7-1. Districts in one educational service region -
9 changing boundaries.

10 (a) School district boundaries lying entirely within any
11 educational service region may be changed by detachment,
12 annexation, division or dissolution or any combination
13 thereof by the regional board of school trustees of such
14 region, or by the State Superintendent of Education as
15 provided in subsection (1) of Section 7-6, when petitioned by
16 the boards of each district affected or by a majority of the
17 registered voters in each district affected or by two-thirds
18 of the registered voters in any territory proposed to be
19 detached from one or more districts or in each of one or more
20 districts proposed to be annexed to another district.
21 Registered voters shall be determined by the official voter
22 registration lists as of the date the petition is filed. No

1 signatures shall be added after the date the petition is
 2 filed. If there are no registered voters within the
 3 territory proposed to be detached from one or more districts,
 4 then the petition may be signed by all of the owners of
 5 record of the real estate of the territory. Notwithstanding
 6 any--other--provisions--of--this--Article,--if--pursuant-to-a
 7 petition-filed-under-this-subsection-all-of-the-territory--of
 8 a--school--district--is--to--be--annexed--to--another--school
 9 district,--any-action-by-the-regional-board-of-school-trustees
 10 or-State-Superintendent-of-Education-in-granting-or-approving
 11 the--petition--and--any--change-in-school-district-boundaries
 12 pursuant-to-that-action-is--subject--to--and--the--change--in
 13 school--district--boundaries--shall--not--be-made-except-upon
 14 approval-at-a--regular--scheduled--election,--in--the--manner
 15 provided---by---Section--7-7.7,--of--a--proposition--for--the
 16 annexation-of-all-of-the-territory-of-that-school-district-to
 17 the-other-school-district.

18 Each page of the circulated petition shall include the
 19 full prayer of the petition, and each signature contained
 20 therein shall match the official signature and address of the
 21 registered voters as recorded in the office of the election
 22 authority having jurisdiction over the county. Each
 23 petitioner shall also record the date of his signing. Each
 24 page of the petition shall be signed by a circulator who has
 25 witnessed the signature of each petitioner on that page. The
 26 length of time for signatures to be valid, before filing of
 27 the petition, shall not exceed 6 months.

28 Where there is only one school building in an approved
 29 operating district, the building and building site may not be
 30 included in any detachment proceeding unless petitioned by
 31 two-thirds of the registered voters within the entire
 32 district wherein the school is located.

33 (b) Any elementary or high school district with 100 or
 34 more of its students residing upon territory located entirely

1 within a military base or installation operated and
2 maintained by the government of the United States, or any
3 unit school district or any combination of the above
4 mentioned districts with 300 or more of its students residing
5 upon territory located entirely within a military base or
6 installation operated and maintained by the government of the
7 United States, shall, upon the filing with the regional board
8 of school trustees of a petition adopted by resolution of the
9 board of education or a petition signed by a majority of the
10 registered voters residing upon such military base or
11 installation, have all of the territory lying entirely within
12 such military base or installation detached from such school
13 district, and a new school district comprised of such
14 territory shall be created. The petition shall be filed with
15 and decided solely by the regional board of school trustees
16 of the region in which the regional superintendent of schools
17 has supervision of the school district affected. The
18 regional board of school trustees shall have no authority to
19 deny the detachment and creation of a new school district
20 requested in a proper petition filed under this subsection.
21 This subsection shall apply only to those school districts
22 having a population of not fewer than 1,000 and not more than
23 500,000 residents, as ascertained by any special or general
24 census.

25 The new school district shall tuition its students to the
26 same districts that its students were previously attending
27 and the districts from which the new district was detached
28 shall continue to educate the students from the new district,
29 until the federal government provides other arrangements.
30 The federal government shall pay for the education of such
31 children as required by Section 6 of Public Law 81-874.

32 If a school district created under this subsection (b)
33 has not elected a school board and has not become operational
34 within 2 years after the date of detachment, then this

1 district is automatically dissolved and the territory of this
2 district reverts to the school district from which the
3 territory was detached or any successor district thereto.
4 Any school district created under this subsection (b) on or
5 before September 1, 1996 that has not elected a school board
6 and has not been operational since September 1, 1996 is
7 automatically dissolved on the effective date of this
8 amendatory Act of 1999, and on this date the territory of
9 this district reverts to the school district from which the
10 territory was detached. For the automatic dissolution of a
11 school district created under this subsection (b), the
12 regional superintendent of schools who has supervision of the
13 school district from which the territory was detached shall
14 certify to the regional board of school trustees that the
15 school district created under this subsection (b) has been
16 automatically dissolved.

17 (Source: P.A. 90-459, eff. 8-17-97; 91-460, eff. 8-6-99.)

18 (105 ILCS 5/7-2) (from Ch. 122, par. 7-2)

19 Sec. 7-2. Districts in two or more counties; Change of
20 boundaries. Boundaries of existing school districts lying
21 within two or more counties may be changed by detachment,
22 annexation, division, dissolution or any combination thereof
23 by the concurrent action of, taken following a joint hearing
24 before, the regional boards of school trustees of each region
25 affected. For purposes of this Section and Section 7-6, an
26 educational service region shall be deemed to be a region
27 affected if any portion of the territory which the petition
28 seeks to have detached from any school district is located in
29 the region. The petition may be by the boards of each
30 district affected, or by a majority of the legal voters
31 residing in each district affected, or by two-thirds of the
32 legal voters residing in any territory proposed to be
33 detached from one or more districts or in each of one or more

1 districts proposed to be annexed to another district. The
2 original petition shall be filed with the regional board of
3 school trustees of the region in which the territory being
4 detached is located or if territory is being detached from
5 more than one region then the petition shall be filed with
6 the regional board of school trustees of the region in which
7 the regional superintendent has supervision over the greatest
8 portion of such territory. A certified true copy of the
9 petition shall be filed with the regional board of school
10 trustees of each other region affected. Notwithstanding--any
11 other--provisions--of--this--Article,--if--pursuant--to--a--petition
12 filed--under--this--Section--all--of--the--territory--of--a--school
13 district--is--to--be--annexed--to--another--school--district,--any
14 action--by--the--regional--boards--of--school--trustees--in--granting
15 the--petition--and--any--changes--in--school--district--boundaries
16 pursuant--to--that--action--is--subject--to--and--the--change--in
17 school--district--boundaries--shall--not--be--made--except--upon
18 approval--at--a--regular--scheduled--election,--in--the--manner
19 provided--by--Section--7-7.7,--of--a--proposition--for--the
20 annexation--of--all--of--the--territory--of--that--school--district--to
21 the--other--school--district.

22 The regional board of school trustees in whose region the
23 joint hearing on the original petition is conducted shall
24 send a certified true copy of the transcript of the hearing
25 to each other region affected. If there are no legal voters
26 residing within the territory proposed to be detached from
27 one or more districts, then the petition may be signed by all
28 of the owners of record of the real estate of the territory.
29 The annexing district is that district to which territory is
30 proposed to be added.

31 Where there is only one school building in an approved
32 operating district, the building and building site may not be
33 included in any detachment proceeding unless petitioned by
34 two-thirds of the eligible voters within the entire district

1 wherein the school is located.

2 After September 23, 1983, no petition shall be filed
3 under Sections 7-1 and 7-2 to form a new school district
4 under this Article except that such a petition may be filed
5 under Section 7-1 to form a new school district where the
6 boundaries of such new school district lie entirely within
7 the boundaries of a military base or installation operated
8 and maintained by the government of the United States.

9 (Source: P.A. 90-459, eff. 8-17-97.)

10 (105 ILCS 5/7-4) (from Ch. 122, par. 7-4)

11 Sec. 7-4. Requirements for granting petitions. No
12 petition shall be granted under Sections 7-1 or 7-2 of this
13 Act:

14 (a) If there will be any non-high school territory
15 resulting from the granting of the petition.

16 (b) Unless after granting the petition any community
17 unit district, community consolidated district, elementary
18 district or high school district created shall have a
19 population of at least 2,000 and an equalized assessed
20 valuation of at least \$6,000,000 based upon the last value as
21 equalized by the Department of Revenue as of the date of
22 filing of the petition.

23 (c) Unless the territory within any district so created
24 or any district whose boundaries are affected by the granting
25 of a petition shall after the granting thereof be compact and
26 contiguous except as provided in Section 7-6 of this Act.
27 The fact that a district is divided by territory lying within
28 the corporate limits of the city of Chicago shall not render
29 it non-compact or non-contiguous.

30 (d) To create any school district with a population of
31 less than 2,000 unless the State Board of Education and the
32 regional superintendent of schools for the region in which
33 the proposed district will lie shall certify to the regional

1 board or boards of school trustees that the creation of such
 2 new district will not interfere with the ultimate
 3 reorganization of the territory of such proposed district as
 4 a part of a district having a population of 2,000 or more.
 5 ~~Notwithstanding any other provisions of this Article, the~~
 6 ~~granting or approval by a regional board or regional boards~~
 7 ~~of school trustees or by the State Superintendent of~~
 8 ~~Education of a petition that under subsection (b-5) of~~
 9 ~~Section 7-6 is required to request the submission of a~~
 10 ~~proposition at a regular scheduled election for the purpose~~
 11 ~~of voting for or against the annexation of the territory~~
 12 ~~described in the petition to the school district proposing to~~
 13 ~~annex that territory is subject to, and any change in school~~
 14 ~~district boundaries pursuant to the granting of the petition~~
 15 ~~shall not be made except upon approval of the proposition at~~
 16 ~~the election in the manner provided by Section 7-7.7.~~

17 (Source: P.A. 89-397, eff. 8-20-95; 90-459, eff. 8-17-97.);
 18 and

19 on page 3, by replacing lines 8 through 21 with the
 20 following:

21 "(b-5) (Blank). If a petition filed under subsection (a)
 22 of Section 7-1 or under Section 7-2 proposes to annex all the
 23 territory of a school district to another school district,
 24 the petition shall request the submission of a proposition at
 25 a regular scheduled election for the purpose of voting for or
 26 against the annexation of the territory described in the
 27 petition to the school district proposing to annex that
 28 territory. No petition filed or election held under this
 29 Article shall be null and void, invalidated, or deemed in
 30 noncompliance with the Election Code because of a failure to
 31 publish a notice with respect to the petition or referendum
 32 as required under subsection (g) of Section 28-2 of that Code
 33 for petitions that are not filed under this Article or
 34 Article 7A, 11A, 11B, or 11D of the School Code."; and

1 on page 14, by replacing line 5 with the following:
2 "generally permitted by law, provided that a community unit
3 district that is formed by combining one or more elementary
4 districts and one or more high school districts may levy an
5 annual tax for working cash purposes at a rate not to exceed
6 0.10% and may levy an annual tax for leasing educational
7 facilities or computer technology or both at a rate not to
8 exceed 0.10%, notwithstanding the limits otherwise provided
9 in this Code."; and

10 on page 14, by replacing lines 22 through 26 with "levy."
11 and

12 on page 20, by replacing line 24 with "referenda or projects
13 resulting from the formation of a cooperative high school
14 under Section 10-22.22c of this Code;".