

1 AN ACT to amend the School Construction Law.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The School Construction Law is amended by
5 changing Sections 5-5, 5-25, and 5-35 as follows:

6 (105 ILCS 230/5-5)

7 Sec. 5-5. Definitions. As used in this Article:

8 "Approved school construction bonds" mean bonds that were
9 approved by referendum after January 1, 1996 but prior to
10 January 1, 1998 as provided in Sections 19-2 through 19-7 of
11 the School Code to provide funds for the acquisition,
12 development, construction, reconstruction, rehabilitation,
13 improvement, architectural planning, and installation of
14 capital facilities consisting of buildings, structures,
15 durable-equipment, and land for educational purposes.

16 "Grant index" means a figure for each school district
17 equal to one minus the ratio of the district's equalized
18 assessed valuation per pupil in average daily attendance to
19 the equalized assessed valuation per pupil in average daily
20 attendance of the district located at the 90th percentile for
21 all districts of the same type. The grant index shall be no
22 less than 0.50 0-35 and no greater than 0.75 for each
23 district; provided that the grant index for districts whose
24 equalized assessed valuation per pupil in average daily
25 attendance is at the 99th percentile and above for all
26 districts of the same type shall be 0.00.

27 "School construction project" means the acquisition,
28 development, construction, reconstruction, rehabilitation,
29 improvement, architectural planning, and installation of
30 capital facilities consisting of buildings, structures,
31 durable equipment, and land for educational purposes.

1 "School maintenance project" means a project, other than
 2 a school construction project, intended to provide for the
 3 maintenance or upkeep of buildings or structures for
 4 educational purposes, but does not include ongoing
 5 operational costs.

6 (Source: P.A. 90-548, eff. 1-1-98; 91-38, eff. 6-15-99.)

7 (105 ILCS 230/5-25)

8 Sec. 5-25. Eligibility and project standards.

9 (a) The State Board of Education shall establish
 10 eligibility standards for school construction project grants
 11 and debt service grants. ~~These--standards--shall--include~~
 12 ~~minimum--enrollment--requirements--for--eligibility--for--school~~
 13 ~~construction--project--grants--of--200--students--for--elementary~~
 14 ~~districts,--200--students--for--high--school--districts,--and--400~~
 15 ~~students--for--unit--districts.~~ The State Board of Education
 16 shall approve a district's eligibility for a school
 17 construction project grant or a debt service grant pursuant
 18 to the established standards.

19 (b) The Capital Development Board shall establish
 20 project standards for all school construction project grants
 21 provided pursuant to this Article. These standards shall
 22 include space and capacity standards as well as the
 23 determination of recognized project costs that shall be
 24 eligible for State financial assistance and enrichment costs
 25 that shall not be eligible for State financial assistance.

26 The recognized project cost initially calculated by the
 27 Capital Development Board shall establish the acceptable cost
 28 of the eligible expenditures. If the bid price received by
 29 the district from the various contractors for the eligible
 30 expenditures is less than the bid estimate amount included in
 31 this initial calculation, then the recognized project cost
 32 shall be reduced by the amount of the difference. If the bid
 33 price received by the district from the various contractors

1 for the eligible expenditures is greater than the bid
2 estimate amount included in this initial calculation, then
3 the recognized project cost shall be increased by the amount
4 of the difference.

5 (c) The State Board of Education and the Capital
6 Development Board shall not establish standards that
7 disapprove or otherwise establish limitations that restrict
8 the eligibility of a school district with a population
9 exceeding 500,000 for a school construction project grant
10 based on the fact that any or all of the school construction
11 project grant will be used to pay debt service or to make
12 lease payments, as authorized by subsection (b) of Section
13 5-35 of this Law.

14 (Source: P.A. 90-548, eff. 1-1-98; 91-38, eff. 6-15-99.)

15 (105 ILCS 230/5-35)

16 Sec. 5-35. School construction project grant amounts;
17 permitted use; prohibited use.

18 (a) The product of the district's grant index and the
19 recognized project cost, as determined by the Capital
20 Development Board, for an approved school construction
21 project shall equal the amount of the grant the Capital
22 Development Board shall provide to the eligible district.
23 For those districts that have not received grants from the
24 Capital Development Board prior to the effective date of this
25 amendatory Act of the 92nd General Assembly, the district's
26 grant index may not be less than 0.50. The grant index shall
27 not be used in cases where the General Assembly and the
28 Governor approve appropriations designated for specifically
29 identified school district construction projects.

30 (b) In each fiscal year in which school construction
31 project grants are awarded, 20% of the total amount awarded
32 statewide shall be awarded to a school district with a
33 population exceeding 500,000, provided such district complies

1 with the provisions of this Article.

2 In addition to the uses otherwise authorized by this Law,
3 any school district with a population exceeding 500,000 is
4 authorized to use any or all of the school construction
5 project grants (i) to pay debt service, as defined in the
6 Local Government Debt Reform Act, on bonds, as defined in the
7 Local Government Debt Reform Act, issued to finance one or
8 more school construction projects and (ii) to the extent that
9 any such bond is a lease or other installment or financing
10 contract between the school district and a public building
11 commission that has issued bonds to finance one or more
12 qualifying school construction projects, to make lease
13 payments under the lease.

14 (c) No portion of a school construction project grant
15 awarded by the Capital Development Board shall be used by a
16 school district for any on-going operational costs.

17 (Source: P.A. 90-548, eff. 1-1-98; 91-38, eff. 6-15-99.)

18 Section 99. Effective date. This Act takes effect on
19 July 1, 2001.