



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4157

by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

110 ILCS 305/1e-5 new
110 ILCS 520/8b.5 new
110 ILCS 660/5-102 new
110 ILCS 665/10-102 new
110 ILCS 670/15-102 new
110 ILCS 675/20-102 new
110 ILCS 680/25-102 new
110 ILCS 685/30-102 new
110 ILCS 690/35-102 new

Amends various Acts relating to the governance of public universities in Illinois. Requires a public university to classify as an employee of the university a student who is an athlete of any of the top 3 financially profitable intercollegiate athletic programs at the university. Provides that the university shall pay the student athlete a minimum of \$25,000 per academic year, but his or her work hours and work schedule are at the discretion of the university. Allows the university to classify as an employee of the university a student who is an athlete of any of the other intercollegiate athletic programs at the university, with his or her pay, work hours, and work schedule determined by the university. Sets forth provisions concerning collegiate and intercollegiate athletic associations and contractual agreements. Effective July 1, 2018.

LRB100 14930 NHT 29756 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The University of Illinois Act is amended by
5 adding Section 1e-5 as follows:

6 (110 ILCS 305/1e-5 new)

7 Sec. 1e-5. Classification of student athlete as employee.

8 (a) The University shall classify as an employee of the
9 University a student who is an athlete of any of the top 3
10 financially profitable intercollegiate athletic programs at
11 the University. The University shall pay the student athlete a
12 minimum of \$25,000 per academic year, but his or her work hours
13 and work schedule are at the discretion of the University. The
14 University may classify as an employee of the University a
15 student who is an athlete of any of the other intercollegiate
16 athletic programs at the University, with his or her pay, work
17 hours, and work schedule determined by the University.

18 (b) No collegiate or intercollegiate athletic association
19 may terminate the membership of the University because of the
20 enactment or application of this Section, nor may any
21 collegiate or intercollegiate association impose a penalty
22 upon the University because of the enactment or application of
23 this Section.

1 (c) Beginning on the effective date of this amendatory Act
2 of the 100th General Assembly, the University is prohibited
3 from entering into, modifying, or renewing a contract that
4 requires the University to administer an intercollegiate
5 athletic program in such a manner as to violate this Section.
6 However, if the University, before the effective date of this
7 amendatory Act of the 100th General Assembly, has contractually
8 agreed to administer an intercollegiate athletic program in
9 such a manner as to violate this Section, this Section does not
10 apply until the expiration of the contract.

11 Section 10. The Southern Illinois University Management
12 Act is amended by adding Section 8b.5 as follows:

13 (110 ILCS 520/8b.5 new)

14 Sec. 8b.5. Classification of student athlete as employee.

15 (a) The University shall classify as an employee of the
16 University a student who is an athlete of any of the top 3
17 financially profitable intercollegiate athletic programs at
18 the University. The University shall pay the student athlete a
19 minimum of \$25,000 per academic year, but his or her work hours
20 and work schedule are at the discretion of the University. The
21 University may classify as an employee of the University a
22 student who is an athlete of any of the other intercollegiate
23 athletic programs at the University, with his or her pay, work
24 hours, and work schedule determined by the University.

1 (b) No collegiate or intercollegiate athletic association
2 may terminate the membership of the University because of the
3 enactment or application of this Section, nor may any
4 collegiate or intercollegiate association impose a penalty
5 upon the University because of the enactment or application of
6 this Section.

7 (c) Beginning on the effective date of this amendatory Act
8 of the 100th General Assembly, the University is prohibited
9 from entering into, modifying, or renewing a contract that
10 requires the University to administer an intercollegiate
11 athletic program in such a manner as to violate this Section.
12 However, if the University, before the effective date of this
13 amendatory Act of the 100th General Assembly, has contractually
14 agreed to administer an intercollegiate athletic program in
15 such a manner as to violate this Section, this Section does not
16 apply until the expiration of the contract.

17 Section 15. The Chicago State University Law is amended by
18 adding Section 5-102 as follows:

19 (110 ILCS 660/5-102 new)

20 Sec. 5-102. Classification of student athlete as employee.

21 (a) The University shall classify as an employee of the
22 University a student who is an athlete of any of the top 3
23 financially profitable intercollegiate athletic programs at
24 the University. The University shall pay the student athlete a

1 minimum of \$25,000 per academic year, but his or her work hours
2 and work schedule are at the discretion of the University. The
3 University may classify as an employee of the University a
4 student who is an athlete of any of the other intercollegiate
5 athletic programs at the University, with his or her pay, work
6 hours, and work schedule determined by the University.

7 (b) No collegiate or intercollegiate athletic association
8 may terminate the membership of the University because of the
9 enactment or application of this Section, nor may any
10 collegiate or intercollegiate association impose a penalty
11 upon the University because of the enactment or application of
12 this Section.

13 (c) Beginning on the effective date of this amendatory Act
14 of the 100th General Assembly, the University is prohibited
15 from entering into, modifying, or renewing a contract that
16 requires the University to administer an intercollegiate
17 athletic program in such a manner as to violate this Section.
18 However, if the University, before the effective date of this
19 amendatory Act of the 100th General Assembly, has contractually
20 agreed to administer an intercollegiate athletic program in
21 such a manner as to violate this Section, this Section does not
22 apply until the expiration of the contract.

23 Section 20. The Eastern Illinois University Law is amended
24 by adding Section 10-102 as follows:

1 (110 ILCS 665/10-102 new)

2 Sec. 10-102. Classification of student athlete as
3 employee.

4 (a) The University shall classify as an employee of the
5 University a student who is an athlete of any of the top 3
6 financially profitable intercollegiate athletic programs at
7 the University. The University shall pay the student athlete a
8 minimum of \$25,000 per academic year, but his or her work hours
9 and work schedule are at the discretion of the University. The
10 University may classify as an employee of the University a
11 student who is an athlete of any of the other intercollegiate
12 athletic programs at the University, with his or her pay, work
13 hours, and work schedule determined by the University.

14 (b) No collegiate or intercollegiate athletic association
15 may terminate the membership of the University because of the
16 enactment or application of this Section, nor may any
17 collegiate or intercollegiate association impose a penalty
18 upon the University because of the enactment or application of
19 this Section.

20 (c) Beginning on the effective date of this amendatory Act
21 of the 100th General Assembly, the University is prohibited
22 from entering into, modifying, or renewing a contract that
23 requires the University to administer an intercollegiate
24 athletic program in such a manner as to violate this Section.
25 However, if the University, before the effective date of this
26 amendatory Act of the 100th General Assembly, has contractually

1 agreed to administer an intercollegiate athletic program in
2 such a manner as to violate this Section, this Section does not
3 apply until the expiration of the contract.

4 Section 25. The Governors State University Law is amended
5 by adding Section 15-102 as follows:

6 (110 ILCS 670/15-102 new)

7 Sec. 15-102. Classification of student athlete as
8 employee.

9 (a) The University shall classify as an employee of the
10 University a student who is an athlete of any of the top 3
11 financially profitable intercollegiate athletic programs at
12 the University. The University shall pay the student athlete a
13 minimum of \$25,000 per academic year, but his or her work hours
14 and work schedule are at the discretion of the University. The
15 University may classify as an employee of the University a
16 student who is an athlete of any of the other intercollegiate
17 athletic programs at the University, with his or her pay, work
18 hours, and work schedule determined by the University.

19 (b) No collegiate or intercollegiate athletic association
20 may terminate the membership of the University because of the
21 enactment or application of this Section, nor may any
22 collegiate or intercollegiate association impose a penalty
23 upon the University because of the enactment or application of
24 this Section.

1 (c) Beginning on the effective date of this amendatory Act
2 of the 100th General Assembly, the University is prohibited
3 from entering into, modifying, or renewing a contract that
4 requires the University to administer an intercollegiate
5 athletic program in such a manner as to violate this Section.
6 However, if the University, before the effective date of this
7 amendatory Act of the 100th General Assembly, has contractually
8 agreed to administer an intercollegiate athletic program in
9 such a manner as to violate this Section, this Section does not
10 apply until the expiration of the contract.

11 Section 30. The Illinois State University Law is amended by
12 adding Section 20-102 as follows:

13 (110 ILCS 675/20-102 new)

14 Sec. 20-102. Classification of student athlete as
15 employee.

16 (a) The University shall classify as an employee of the
17 University a student who is an athlete of any of the top 3
18 financially profitable intercollegiate athletic programs at
19 the University. The University shall pay the student athlete a
20 minimum of \$25,000 per academic year, but his or her work hours
21 and work schedule are at the discretion of the University. The
22 University may classify as an employee of the University a
23 student who is an athlete of any of the other intercollegiate
24 athletic programs at the University, with his or her pay, work

1 hours, and work schedule determined by the University.

2 (b) No collegiate or intercollegiate athletic association
3 may terminate the membership of the University because of the
4 enactment or application of this Section, nor may any
5 collegiate or intercollegiate association impose a penalty
6 upon the University because of the enactment or application of
7 this Section.

8 (c) Beginning on the effective date of this amendatory Act
9 of the 100th General Assembly, the University is prohibited
10 from entering into, modifying, or renewing a contract that
11 requires the University to administer an intercollegiate
12 athletic program in such a manner as to violate this Section.
13 However, if the University, before the effective date of this
14 amendatory Act of the 100th General Assembly, has contractually
15 agreed to administer an intercollegiate athletic program in
16 such a manner as to violate this Section, this Section does not
17 apply until the expiration of the contract.

18 Section 35. The Northeastern Illinois University Law is
19 amended by adding Section 25-102 as follows:

20 (110 ILCS 680/25-102 new)

21 Sec. 25-102. Classification of student athlete as
22 employee.

23 (a) The University shall classify as an employee of the
24 University a student who is an athlete of any of the top 3

1 financially profitable intercollegiate athletic programs at
2 the University. The University shall pay the student athlete a
3 minimum of \$25,000 per academic year, but his or her work hours
4 and work schedule are at the discretion of the University. The
5 University may classify as an employee of the University a
6 student who is an athlete of any of the other intercollegiate
7 athletic programs at the University, with his or her pay, work
8 hours, and work schedule determined by the University.

9 (b) No collegiate or intercollegiate athletic association
10 may terminate the membership of the University because of the
11 enactment or application of this Section, nor may any
12 collegiate or intercollegiate association impose a penalty
13 upon the University because of the enactment or application of
14 this Section.

15 (c) Beginning on the effective date of this amendatory Act
16 of the 100th General Assembly, the University is prohibited
17 from entering into, modifying, or renewing a contract that
18 requires the University to administer an intercollegiate
19 athletic program in such a manner as to violate this Section.
20 However, if the University, before the effective date of this
21 amendatory Act of the 100th General Assembly, has contractually
22 agreed to administer an intercollegiate athletic program in
23 such a manner as to violate this Section, this Section does not
24 apply until the expiration of the contract.

25 Section 40. The Northern Illinois University Law is amended

1 by adding Section 30-102 as follows:

2 (110 ILCS 685/30-102 new)

3 Sec. 30-102. Classification of student athlete as
4 employee.

5 (a) The University shall classify as an employee of the
6 University a student who is an athlete of any of the top 3
7 financially profitable intercollegiate athletic programs at
8 the University. The University shall pay the student athlete a
9 minimum of \$25,000 per academic year, but his or her work hours
10 and work schedule are at the discretion of the University. The
11 University may classify as an employee of the University a
12 student who is an athlete of any of the other intercollegiate
13 athletic programs at the University, with his or her pay, work
14 hours, and work schedule determined by the University.

15 (b) No collegiate or intercollegiate athletic association
16 may terminate the membership of the University because of the
17 enactment or application of this Section, nor may any
18 collegiate or intercollegiate association impose a penalty
19 upon the University because of the enactment or application of
20 this Section.

21 (c) Beginning on the effective date of this amendatory Act
22 of the 100th General Assembly, the University is prohibited
23 from entering into, modifying, or renewing a contract that
24 requires the University to administer an intercollegiate
25 athletic program in such a manner as to violate this Section.

1 However, if the University, before the effective date of this
2 amendatory Act of the 100th General Assembly, has contractually
3 agreed to administer an intercollegiate athletic program in
4 such a manner as to violate this Section, this Section does not
5 apply until the expiration of the contract.

6 Section 45. The Western Illinois University Law is amended
7 by adding Section 35-102 as follows:

8 (110 ILCS 690/35-102 new)

9 Sec. 35-102. Classification of student athlete as
10 employee.

11 (a) The University shall classify as an employee of the
12 University a student who is an athlete of any of the top 3
13 financially profitable intercollegiate athletic programs at
14 the University. The University shall pay the student athlete a
15 minimum of \$25,000 per academic year, but his or her work hours
16 and work schedule are at the discretion of the University. The
17 University may classify as an employee of the University a
18 student who is an athlete of any of the other intercollegiate
19 athletic programs at the University, with his or her pay, work
20 hours, and work schedule determined by the University.

21 (b) No collegiate or intercollegiate athletic association
22 may terminate the membership of the University because of the
23 enactment or application of this Section, nor may any
24 collegiate or intercollegiate association impose a penalty

1 upon the University because of the enactment or application of
2 this Section.

3 (c) Beginning on the effective date of this amendatory Act
4 of the 100th General Assembly, the University is prohibited
5 from entering into, modifying, or renewing a contract that
6 requires the University to administer an intercollegiate
7 athletic program in such a manner as to violate this Section.
8 However, if the University, before the effective date of this
9 amendatory Act of the 100th General Assembly, has contractually
10 agreed to administer an intercollegiate athletic program in
11 such a manner as to violate this Section, this Section does not
12 apply until the expiration of the contract.

13 Section 99. Effective date. This Act takes effect July 1,
14 2018.