



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4131

Introduced 9/3/2021, by Rep. Andrew S. Chesney, Dan Ugaste and Joe Sosnowski

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.76 new
105 ILCS 5/22-91 new
105 ILCS 5/34-18.70 new

Amends the School Code. Provides that a school board or the governing board of a nonpublic school has the authority to determine, in consultation with the local health department, whether to implement mask-wearing requirements for school staff, students, and visitors when the Governor has declared a disaster due to a public health emergency related to COVID-19. Effective immediately.

LRB102 19630 CMG 28402 b

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 School Code is amended by adding Sections
5 10-20.76, 22-91, and 34-18.70 as follows:

6 (105 ILCS 5/10-20.76 new)

7 Sec. 10-20.76. COVID-19 mask-wearing requirements.
8 Notwithstanding any other law or rule to the contrary, when
9 the Governor has declared a disaster due to a public health
10 emergency related to COVID-19 pursuant to Section 7 of the
11 Illinois Emergency Management Agency Act, the school board of
12 a school district serving any of grades pre-kindergarten
13 through 12 shall have the authority to determine, in
14 consultation with the local department of public health,
15 whether to implement mask-wearing requirements for school
16 staff, students, and visitors.

17 (105 ILCS 5/22-91 new)

18 Sec. 22-91. COVID-19 mask-wearing requirements.
19 Notwithstanding any other law or rule to the contrary, when
20 the Governor has declared a disaster due to a public health
21 emergency related to COVID-19 pursuant to Section 7 of the
22 Illinois Emergency Management Agency Act, the governing board

1 of a nonpublic school serving any of grades pre-kindergarten
2 through 12 shall have the authority to determine, in
3 consultation with the local department of public health,
4 whether to implement mask-wearing requirements for school
5 staff, students, and visitors.

6 (105 ILCS 5/34-18.70 new)

7 Sec. 34-18.70. COVID-19 mask-wearing requirements.

8 Notwithstanding any other law or rule to the contrary, when
9 the Governor has declared a disaster due to a public health
10 emergency related to COVID-19 pursuant to Section 7 of the
11 Illinois Emergency Management Agency Act, the board of a
12 school district serving any of grades pre-kindergarten through
13 12 shall have the authority to determine, in consultation with
14 the local department of public health, whether to implement
15 mask-wearing requirements for school staff, students, and
16 visitors.

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