



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4265

Introduced 1/5/2022, by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

New Act

Creates the Public Higher Education Act. Provides that the intent of the Act is for the requirements of the Act to apply equally to the governing board of each public institution of higher education in this State. Defines "governing board of each public institution of higher education" and "public institution of higher education". Requires that, beginning with the 2022-2023 academic year, all documents and forms, including applications for admission, issued by a public institution of higher education offer a student the option to select "non-binary" if the document or form asks the student to identify the student's gender or biological sex. Effective immediately.

LRB102 21816 CMG 30936 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 1. Short title. This Act may be cited as the Public
5 Higher Education Act.

6 Section 3. Intent. It is the intent of the General
7 Assembly that the requirements set forth in this Act should
8 apply equally to each public institution of higher education
9 in this State and to the governing board of each public
10 institution of higher education in this State.

11 Section 5. Definitions. As used in this Act:

12 "Governing board of each public institution of higher
13 education" means the Board of Trustees of the University of
14 Illinois, the Board of Trustees of Southern Illinois
15 University, the Board of Trustees of Chicago State University,
16 the Board of Trustees of Eastern Illinois University, the
17 Board of Trustees of Governors State University, the Board of
18 Trustees of Illinois State University, the Board of Trustees
19 of Northeastern Illinois University, the Board of Trustees of
20 Northern Illinois University, the Board of Trustees of Western
21 Illinois University, and the board of trustees of each
22 community college district in this State.

1 "Public institution of higher education" means the
2 University of Illinois, Southern Illinois University, Chicago
3 State University, Eastern Illinois University, Governors State
4 University, Illinois State University, Northeastern Illinois
5 University, Northern Illinois University, Western Illinois
6 University, a public community college in this State, or any
7 other public university, college, or community college now or
8 hereafter established or authorized by the General Assembly.

9 Section 10. Non-binary option on documents and forms.

10 (a) Beginning with the 2022-2023 academic year, all
11 documents and forms issued by a public institution of higher
12 education that ask a student to identify the student's gender
13 or biological sex must offer the student the option to select
14 "non-binary" in addition to the option to select "male" or
15 "female".

16 (b) The requirements under subsection (a) apply to all
17 documents and forms, including applications for admission,
18 that are issued by the public institution of higher education,
19 whether in an electronic format or paper format.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.