



Rep. Kelly M. Burke

**Filed: 2/14/2022**

10200HB4724ham001

LRB102 24591 RJT 36233 a

1 AMENDMENT TO HOUSE BILL 4724

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4724 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The University Credit and Retail Sales Act is  
5 amended by changing Section 1 as follows:

6 (110 ILCS 115/1) (from Ch. 144, par. 252)

7 Sec. 1. Prohibition; exceptions.

8 (a) The governing board of a State institution of higher  
9 learning may not permit or authorize a retail store carrying  
10 any line of general merchandise to be operated by that  
11 institution or to be operated on property held or leased for  
12 the use of the institution when such an operation can  
13 reasonably be expected to be in competition with private  
14 retail merchants in the community, unless the goods sold by  
15 that store are unavailable in quantities sufficient to meet  
16 the reasonably expected student demand, are unavailable on a

1 year round basis or were commonly sold by the institution or on  
2 such property before January 1, 1980. The governing board of a  
3 State institution of higher learning also may not permit or  
4 authorize any person to conduct a business of selling goods,  
5 services, or a combination thereof to the general public on  
6 property held or leased for the use of the institution when  
7 such an operation can reasonably be expected to be in  
8 competition with private retail merchants in the community  
9 unless such merchants have the opportunity to compete for the  
10 operation of such a business on such property. "Person" means  
11 an individual, corporation, business trust, estate, trust,  
12 partnership, association, cooperative, or any other legal  
13 entity. This Act does not prohibit the sale by such an  
14 institution or on such property of items commonly sold by such  
15 institutions before January 1, 1980. "Commonly sold" means  
16 exclusively those lines of products sold in the regular course  
17 of business prior to January 1, 1980. This Act does not  
18 prohibit the sale of goods which are the result of  
19 technological advances since 1980 and are required for  
20 assignments or classroom activities.

21 (b) The governing board of a State institution of higher  
22 learning may not permit that institution or a retail store  
23 operated by that institution or operated on property held or  
24 leased for the use of the institution to make credit sales when  
25 the credit extended is the credit of the retail store or the  
26 institution itself. This subsection (b) does not prohibit the

1 retail store from making credit sales through an independent  
2 credit organization not affiliated with the institution or the  
3 retail store, such as by means of a bank or other credit card  
4 or through the use of a debit card issued by the institution or  
5 otherwise, so long as private retail merchants in the  
6 community are afforded a reasonable opportunity to participate  
7 in such debit card sales through appropriate agreements with  
8 the institution. This subsection (b) does not prohibit the  
9 sale on credit to students receiving financial assistance by  
10 such an institution of textbooks, food, beverages, or  
11 educational items required for use in classroom activities, so  
12 long as private retail merchants in the community are afforded  
13 a reasonable opportunity to participate in such credit sales  
14 through appropriate agreements with the institution.

15 This subsection (b) does not restrict a State institution  
16 of higher learning that purchases course materials or  
17 purchases course materials on its students behalf to ensure  
18 that all students have their course materials, but only to the  
19 extent that this subsection (b) relates to the purchase of  
20 course materials.

21 (Source: P.A. 89-407, eff. 7-1-96.)"