



Rep. Kelly M. Burke

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10200HB4724ham002

LRB102 24591 NLB 36423 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  
25 when the credit extended is the credit of the retail store or  
26 the institution itself. This subsection (b) does not prohibit

1 the retail store from making credit sales through an  
2 independent credit organization not affiliated with the  
3 institution or the retail store, such as by means of a bank or  
4 other credit card or through the use of a debit card issued by  
5 the institution or otherwise, so long as private retail  
6 merchants in the community are afforded a reasonable  
7 opportunity to participate in such debit card sales through  
8 appropriate agreements with the institution. This subsection  
9 (b) does not prohibit the sale on credit to students receiving  
10 financial assistance by such an institution of textbooks,  
11 food, beverages, or educational items required for use in  
12 classroom activities, so long as private retail merchants in  
13 the community are afforded a reasonable opportunity to  
14 participate in such credit sales through appropriate  
15 agreements with the institution. Notwithstanding any other  
16 provision of this subsection, the governing body of a State  
17 institution of higher learning may permit the institution, or  
18 a retail store operated by the institution or operated on  
19 property held or leased for the use of the institution, to  
20 extend credit to students for the students' purchase of course  
21 materials.

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

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law."