



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2953

Introduced 2/16/2023, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

New Act

30 ILCS 105/5.990 new

105 ILCS 5/26-1

from Ch. 122, par. 26-1

Creates the Illinois Youth Advisory Board of Public Health Act. Creates the Illinois Youth Advisory Board of Public Health within the Department of Public Health to facilitate communication between the youth of the State of Illinois and specified State entities regarding the public health issues, interests, and needs that are important to the youth of the State of Illinois. Contains requirements for Advisory Board membership, meetings, and raising public awareness. Requires the Advisory Board to submit an annual report with specified information to the Governor and the General Assembly. Contains other provisions. Amends the State Finance Act. Creates the Illinois Youth Advisory Board of Public Health Fund. Amends the School Code to make a conforming change. Effective immediately.

LRB103 03448 CPF 48454 b

1 AN ACT concerning health.

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
5 Illinois Youth Advisory Board of Public Health Act.

6 Section 5. Definitions. In this Act:

7 "Advisory Board" means the Illinois Youth Advisory Board
8 of Public Health created under subsection (a) of Section 10.

9 "Chair" means the Chair of the Advisory Board who is
10 elected under subsection (b) of Section 25.

11 "Department" means the Illinois Department of Public
12 Health.

13 "Director" means the Director of Public Health.

14 "Elections Committee" means the Elections Committee
15 created under subsection (c) of Section 10.

16 "Fund" means the Illinois Youth Advisory Board of Public
17 Health Fund created under Section 55.

18 Section 10. The Illinois Youth Advisory Board of Public
19 Health; Elections Committee.

20 (a) The Illinois Youth Advisory Board of Public Health is
21 created within the Department to facilitate communication
22 between the youth of the State of Illinois, the Department,

1 and the elected branches of State government regarding the
2 public health issues, interests, and needs important to the
3 youth of the State of Illinois. The Advisory Board has all of
4 the powers and responsibilities enumerated in this Act and any
5 other power or responsibility that may be conferred upon the
6 Advisory Board by law.

7 (b) The Advisory Board shall be staffed by a State agency,
8 representatives of the Department, or both, as designated by
9 the Director.

10 (c) The Elections Committee is created within the Advisory
11 Board to elect members of the Advisory Board in accordance
12 with Section 15. The Director shall appoint members of the
13 Elections Committee by selecting one representative from each
14 of the following offices within the Department:

- 15 (1) The Office of Health Care Regulation.
- 16 (2) The Office of Health Promotion.
- 17 (3) The Office of Health Protection.
- 18 (4) The Office of Disease Control.
- 19 (5) The Office of Policy, Planning, and Statistics.
- 20 (6) The Office of Preparedness and Response.
- 21 (7) The Office of Women's Health and Family Services.

22 Section 15. Advisory Board members; election; term of
23 office; applications.

24 (a) The Advisory Board shall consist of 15 members who are
25 elected to the Advisory Board by popular vote of the Elections

1 Committee from a pool of applicants meeting the qualifications
2 under Section 20. The Elections Committee shall convene on or
3 before April 1 of each year to elect candidates to fill each
4 vacant or expiring Advisory Board member position. A
5 representative from the Elections Committee, appointed by the
6 Director, shall review potential candidates' membership
7 applications, serve as judge of the results of the election,
8 and notify existing Advisory Board members of the applicants
9 selected by the Elections Committee for Advisory Board
10 membership. Each candidate elected by the Elections Committee
11 for Advisory Board membership shall be notified of his or her
12 election to the Advisory Board on or before April 5 of the year
13 that he or she is elected.

14 (b) The term of office for initial members of the Advisory
15 Board shall begin on July 1, 2024 and expire on June 30, 2025.
16 Thereafter, the term for members of the Advisory Board shall
17 begin on the first Saturday in July of each year and expire one
18 day before the first Saturday in July of the following
19 calendar year. A person may serve as a member for up to 2 terms
20 if, for each term, the person meets all membership
21 requirements, submits an application created under subsection
22 (c), and is elected for membership by the Elections Committee
23 under subsection (a).

24 (c) On or before December 1, 2023, the Advisory Board
25 shall create an application that shall be used by candidates
26 to apply for Advisory Board membership. The Advisory Board, in

1 conjunction with the Elections Committee, may modify the
2 application from time to time.

3 Section 20. Member qualifications. During each Advisory
4 Board member's term, the member shall meet all of the
5 following qualifications:

6 (1) The member must have been a resident of the State
7 of Illinois for at least one year prior to the member's
8 term.

9 (2) The member must be older than 14 years of age and
10 younger than 22 years of age. However, if the member will
11 become 23 years of age during his or her term, the member
12 may complete that term.

13 (3) The member must be enrolled as a student at a high
14 school, community college, college, or university in this
15 State. However, if the member will graduate from a high
16 school, community college, college, or university in this
17 State during his or her term, the member may complete that
18 term.

19 Section 25. Quorum; meetings; school attendance;
20 leadership positions.

21 (a) A majority of members elected to the Advisory Board
22 shall constitute a quorum.

23 (b) In addition to the annual in-person meeting required
24 under Section 30, the Advisory Board shall convene in person,

1 by electronic means, or by telephone at least once monthly and
2 at any other time the Advisory Board deems necessary. Each
3 member of the Advisory Board shall be excused, without penalty
4 or consequence, from mandatory student attendance at the
5 school at which he or she is enrolled to participate in an
6 Advisory Board meeting convened under this subsection or under
7 Section 30. At the first meeting of the Advisory Board after
8 the election of Advisory Board members, the Advisory Board
9 shall elect one member to serve as the Advisory Board's Chair.
10 The Advisory Board may create additional Advisory Board
11 leadership positions, to be filled by members of the Advisory
12 Board, as the Advisory Board deems necessary.

13 Section 30. Annual in-person meeting. The Advisory Board
14 shall convene an annual in-person meeting at the end of each
15 membership term to present the General Assembly and the
16 Governor with the report required under Section 50, any
17 research conducted by the Advisory Board, and any
18 community-oriented activities recommended or undertaken by the
19 Advisory Board to improve the health of Illinois residents.

20 Section 35. Powers and responsibilities.

21 (a) The Advisory Board may exercise any of the following
22 powers:

23 (1) Collaborating with the Department on agreed
24 projects.

1 (2) Creating community initiatives to support public
2 health.

3 (3) Voicing opinions on any public health matter
4 regarding the youth of Illinois.

5 (4) Drafting reports and advisory opinions for the
6 Department's consideration.

7 (5) Conducting periodic seminars for members of
8 Illinois communities that concern public health topics and
9 relate to the youth of Illinois.

10 (b) Members of the Advisory Board may attend Department
11 meetings and may advise the Department generally on matters
12 pertaining to youth and community public health initiatives.
13 Nothing in this Act shall be construed to entitle an Advisory
14 Board member to vote on matters pending before the Department.

15 (c) The Chair is responsible for all of the following:

16 (1) For each Advisory Board meeting, creating an
17 agenda that is approved by a Department representative
18 appointed by the Director from the Elections Committee.

19 (2) Running Advisory Board meetings and facilitating
20 communication within the Advisory Board, including, but
21 not limited to, selecting one member to serve as Secretary
22 for each Advisory Board meeting who is responsible for
23 taking minutes throughout the meeting and submitting the
24 minutes to the Chair.

25 (3) Appointing members to serve in leadership
26 positions within the Advisory Board, if the Advisory Board

1 deems the appointment necessary.

2 (4) Planning and reviewing meetings with the
3 Department representative appointed by the Director under
4 paragraph (1).

5 (5) Facilitating communication between the Advisory
6 Board and the Department.

7 Section 40. Outreach.

8 (a) On or before January 10 of each year, the Chair, with
9 support from the Advisory Board, shall notify all high
10 schools, community colleges, colleges, and universities in
11 this State that the time for applying to become a member of the
12 Advisory Board is open and that the application period shall
13 expire on March 15 of that year. The notice shall include the
14 requirements for Advisory Board membership and a copy of the
15 application for Advisory Board membership.

16 (b) Upon receiving notice under subsection (a) that the
17 application period is open, a high school, community college,
18 college, or university in this State shall make reasonable
19 attempts to notify interested students of the opportunity to
20 apply for Advisory Board membership.

21 (c) To raise public awareness of the Advisory Board, the
22 Advisory Board may:

23 (1) conduct a public awareness campaign;

24 (2) maintain a website and establish a social media
25 presence;

1 (3) work with established youth groups to increase
2 public awareness of the Advisory Board; and

3 (4) employ any other means necessary to raise public
4 awareness of the Advisory Board's existence and purpose.

5 Section 45. Administrative support. Administrative support
6 for the Advisory Board shall be provided by the Department.
7 Members of the Advisory Board shall not receive compensation
8 for serving as members, but may be reimbursed, subject to
9 appropriation from the Fund or as approved by the Governor,
10 for expenses described under Section 55. A member of the
11 Advisory Board may receive credit toward required service
12 hours from his or her school for participation in the Advisory
13 Board. Moneys for travel expenses and administrative costs of
14 the Advisory Board shall be appropriated to the Advisory Board
15 from the Fund or as otherwise approved by the Governor.

16 Section 50. Annual report. The Advisory Board shall
17 electronically submit an annual report to the General Assembly
18 and the Governor detailing the Advisory Board's activities and
19 any legislation recommended by the Advisory Board.

20 Section 55. Illinois Youth Advisory Board of Public Health
21 Fund. The Illinois Youth Advisory Board of Public Health Fund
22 is created as a special fund in the State treasury. All moneys
23 in the Fund shall be used, subject to appropriation by the

1 General Assembly, to reimburse Advisory Board members for
2 actual expenses incurred in traveling to Advisory Board
3 meetings, including, but not limited to, transportation, food,
4 and lodging, and for printing the annual report required under
5 Section 50.

6 Section 85. The State Finance Act is amended by adding
7 Section 5.990 as follows:

8 (30 ILCS 105/5.990 new)

9 Sec. 5.990. The Illinois Youth Advisory Board of Public
10 Health Fund.

11 Section 90. The School Code is amended by changing Section
12 26-1 as follows:

13 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

14 (Text of Section before amendment by P.A. 102-981)

15 Sec. 26-1. Compulsory school age; exemptions. Whoever has
16 custody or control of any child (i) between the ages of 7 and
17 17 years (unless the child has already graduated from high
18 school) for school years before the 2014-2015 school year or
19 (ii) between the ages of 6 (on or before September 1) and 17
20 years (unless the child has already graduated from high
21 school) beginning with the 2014-2015 school year shall cause
22 such child to attend some public school in the district

1 wherein the child resides the entire time it is in session
2 during the regular school term, except as provided in Section
3 10-19.1, and during a required summer school program
4 established under Section 10-22.33B; provided, that the
5 following children shall not be required to attend the public
6 schools:

7 1. Any child attending a private or a parochial school
8 where children are taught the branches of education taught
9 to children of corresponding age and grade in the public
10 schools, and where the instruction of the child in the
11 branches of education is in the English language;

12 2. Any child who is physically or mentally unable to
13 attend school, such disability being certified to the
14 county or district truant officer by a competent physician
15 licensed in Illinois to practice medicine and surgery in
16 all its branches, a chiropractic physician licensed under
17 the Medical Practice Act of 1987, a licensed advanced
18 practice registered nurse, a licensed physician assistant,
19 or a Christian Science practitioner residing in this State
20 and listed in the Christian Science Journal; or who is
21 excused for temporary absence for cause by the principal
22 or teacher of the school which the child attends, with
23 absence for cause by illness being required to include the
24 mental or behavioral health of the child for up to 5 days
25 for which the child need not provide a medical note, in
26 which case the child shall be given the opportunity to

1 make up any school work missed during the mental or
2 behavioral health absence and, after the second mental
3 health day used, may be referred to the appropriate school
4 support personnel; the exemptions in this paragraph (2) do
5 not apply to any female who is pregnant or the mother of
6 one or more children, except where a female is unable to
7 attend school due to a complication arising from her
8 pregnancy and the existence of such complication is
9 certified to the county or district truant officer by a
10 competent physician;

11 3. Any child necessarily and lawfully employed
12 according to the provisions of the law regulating child
13 labor may be excused from attendance at school by the
14 county superintendent of schools or the superintendent of
15 the public school which the child should be attending, on
16 certification of the facts by and the recommendation of
17 the school board of the public school district in which
18 the child resides. In districts having part-time
19 continuation schools, children so excused shall attend
20 such schools at least 8 hours each week;

21 4. Any child over 12 and under 14 years of age while in
22 attendance at confirmation classes;

23 5. Any child absent from a public school on a
24 particular day or days or at a particular time of day for
25 the reason that he is unable to attend classes or to
26 participate in any examination, study, or work

1 requirements on a particular day or days or at a
2 particular time of day because of religious reasons,
3 including the observance of a religious holiday or
4 participation in religious instruction, or because the
5 tenets of his religion forbid secular activity on a
6 particular day or days or at a particular time of day. A
7 school board may require the parent or guardian of a child
8 who is to be excused from attending school because of
9 religious reasons to give notice, not exceeding 5 days, of
10 the child's absence to the school principal or other
11 school personnel. Any child excused from attending school
12 under this paragraph 5 shall not be required to submit a
13 written excuse for such absence after returning to school.
14 A district superintendent shall develop and distribute to
15 schools appropriate procedures regarding a student's
16 absence for religious reasons, how schools are notified of
17 a student's impending absence for religious reasons, and
18 the requirements of Section 26-2b of this Code;

19 6. Any child 16 years of age or older who (i) submits
20 to a school district evidence of necessary and lawful
21 employment pursuant to paragraph 3 of this Section and
22 (ii) is enrolled in a graduation incentives program
23 pursuant to Section 26-16 of this Code or an alternative
24 learning opportunities program established pursuant to
25 Article 13B of this Code;

26 7. A child in any of grades 6 through 12 absent from a

1 public school on a particular day or days or at a
2 particular time of day for the purpose of sounding "Taps"
3 at a military honors funeral held in this State for a
4 deceased veteran. In order to be excused under this
5 paragraph 7, the student shall notify the school's
6 administration at least 2 days prior to the date of the
7 absence and shall provide the school's administration with
8 the date, time, and location of the military honors
9 funeral. The school's administration may waive this 2-day
10 notification requirement if the student did not receive at
11 least 2 days advance notice, but the student shall notify
12 the school's administration as soon as possible of the
13 absence. A student whose absence is excused under this
14 paragraph 7 shall be counted as if the student attended
15 school for purposes of calculating the average daily
16 attendance of students in the school district. A student
17 whose absence is excused under this paragraph 7 must be
18 allowed a reasonable time to make up school work missed
19 during the absence. If the student satisfactorily
20 completes the school work, the day of absence shall be
21 counted as a day of compulsory attendance and he or she may
22 not be penalized for that absence; ~~and~~

23 8. Any child absent from a public school on a
24 particular day or days or at a particular time of day for
25 the reason that his or her parent or legal guardian is an
26 active duty member of the uniformed services and has been

1 called to duty for, is on leave from, or has immediately
2 returned from deployment to a combat zone or
3 combat-support postings. Such a student shall be granted 5
4 days of excused absences in any school year and, at the
5 discretion of the school board, additional excused
6 absences to visit the student's parent or legal guardian
7 relative to such leave or deployment of the parent or
8 legal guardian. In the case of excused absences pursuant
9 to this paragraph 8, the student and parent or legal
10 guardian shall be responsible for obtaining assignments
11 from the student's teacher prior to any period of excused
12 absence and for ensuring that such assignments are
13 completed by the student prior to his or her return to
14 school from such period of excused absence; and -

15 (9) Any child absent from a public school on a
16 particular day or days or at a particular time of day for
17 the reason that he or she is participating in an Illinois
18 Youth Advisory Board of Public Health meeting convened
19 under the Illinois Youth Advisory Board of Public Health
20 Act.

21 (Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22;
22 102-406, eff. 8-19-21; 102-813, eff. 5-13-22.)

23 (Text of Section after amendment by P.A. 102-981)

24 Sec. 26-1. Compulsory school age; exemptions. Whoever has
25 custody or control of any child (i) between the ages of 7 and

1 17 years (unless the child has already graduated from high
2 school) for school years before the 2014-2015 school year or
3 (ii) between the ages of 6 (on or before September 1) and 17
4 years (unless the child has already graduated from high
5 school) beginning with the 2014-2015 school year shall cause
6 such child to attend some public school in the district
7 wherein the child resides the entire time it is in session
8 during the regular school term, except as provided in Section
9 10-19.1, and during a required summer school program
10 established under Section 10-22.33B; provided, that the
11 following children shall not be required to attend the public
12 schools:

13 1. Any child attending a private or a parochial school
14 where children are taught the branches of education taught
15 to children of corresponding age and grade in the public
16 schools, and where the instruction of the child in the
17 branches of education is in the English language;

18 2. Any child who is physically or mentally unable to
19 attend school, such disability being certified to the
20 county or district truant officer by a competent physician
21 licensed in Illinois to practice medicine and surgery in
22 all its branches, a chiropractic physician licensed under
23 the Medical Practice Act of 1987, a licensed advanced
24 practice registered nurse, a licensed physician assistant,
25 or a Christian Science practitioner residing in this State
26 and listed in the Christian Science Journal; or who is

1 excused for temporary absence for cause by the principal
2 or teacher of the school which the child attends, with
3 absence for cause by illness being required to include the
4 mental or behavioral health of the child for up to 5 days
5 for which the child need not provide a medical note, in
6 which case the child shall be given the opportunity to
7 make up any school work missed during the mental or
8 behavioral health absence and, after the second mental
9 health day used, may be referred to the appropriate school
10 support personnel; the exemptions in this paragraph (2) do
11 not apply to any female who is pregnant or the mother of
12 one or more children, except where a female is unable to
13 attend school due to a complication arising from her
14 pregnancy and the existence of such complication is
15 certified to the county or district truant officer by a
16 competent physician;

17 3. Any child necessarily and lawfully employed
18 according to the provisions of the law regulating child
19 labor may be excused from attendance at school by the
20 county superintendent of schools or the superintendent of
21 the public school which the child should be attending, on
22 certification of the facts by and the recommendation of
23 the school board of the public school district in which
24 the child resides. In districts having part-time
25 continuation schools, children so excused shall attend
26 such schools at least 8 hours each week;

1 4. Any child over 12 and under 14 years of age while in
2 attendance at confirmation classes;

3 5. Any child absent from a public school on a
4 particular day or days or at a particular time of day for
5 the reason that he is unable to attend classes or to
6 participate in any examination, study, or work
7 requirements on a particular day or days or at a
8 particular time of day because of religious reasons,
9 including the observance of a religious holiday or
10 participation in religious instruction, or because the
11 tenets of his religion forbid secular activity on a
12 particular day or days or at a particular time of day. A
13 school board may require the parent or guardian of a child
14 who is to be excused from attending school because of
15 religious reasons to give notice, not exceeding 5 days, of
16 the child's absence to the school principal or other
17 school personnel. Any child excused from attending school
18 under this paragraph 5 shall not be required to submit a
19 written excuse for such absence after returning to school.
20 A district superintendent shall develop and distribute to
21 schools appropriate procedures regarding a student's
22 absence for religious reasons, how schools are notified of
23 a student's impending absence for religious reasons, and
24 the requirements of Section 26-2b of this Code;

25 6. Any child 16 years of age or older who (i) submits
26 to a school district evidence of necessary and lawful

1 employment pursuant to paragraph 3 of this Section and
2 (ii) is enrolled in a graduation incentives program
3 pursuant to Section 26-16 of this Code or an alternative
4 learning opportunities program established pursuant to
5 Article 13B of this Code;

6 7. A child in any of grades 6 through 12 absent from a
7 public school on a particular day or days or at a
8 particular time of day for the purpose of sounding "Taps"
9 at a military honors funeral held in this State for a
10 deceased veteran. In order to be excused under this
11 paragraph 7, the student shall notify the school's
12 administration at least 2 days prior to the date of the
13 absence and shall provide the school's administration with
14 the date, time, and location of the military honors
15 funeral. The school's administration may waive this 2-day
16 notification requirement if the student did not receive at
17 least 2 days advance notice, but the student shall notify
18 the school's administration as soon as possible of the
19 absence. A student whose absence is excused under this
20 paragraph 7 shall be counted as if the student attended
21 school for purposes of calculating the average daily
22 attendance of students in the school district. A student
23 whose absence is excused under this paragraph 7 must be
24 allowed a reasonable time to make up school work missed
25 during the absence. If the student satisfactorily
26 completes the school work, the day of absence shall be

1 counted as a day of compulsory attendance and he or she may
2 not be penalized for that absence; ~~and~~

3 8. Any child absent from a public school on a
4 particular day or days or at a particular time of day for
5 the reason that his or her parent or legal guardian is an
6 active duty member of the uniformed services and has been
7 called to duty for, is on leave from, or has immediately
8 returned from deployment to a combat zone or
9 combat-support postings. Such a student shall be granted 5
10 days of excused absences in any school year and, at the
11 discretion of the school board, additional excused
12 absences to visit the student's parent or legal guardian
13 relative to such leave or deployment of the parent or
14 legal guardian. In the case of excused absences pursuant
15 to this paragraph 8, the student and parent or legal
16 guardian shall be responsible for obtaining assignments
17 from the student's teacher prior to any period of excused
18 absence and for ensuring that such assignments are
19 completed by the student prior to his or her return to
20 school from such period of excused absence; and -

21 (9) Any child absent from a public school on a
22 particular day or days or at a particular time of day for
23 the reason that he or she is participating in an Illinois
24 Youth Advisory Board of Public Health meeting convened
25 under the Illinois Youth Advisory Board of Public Health
26 Act.

1 Any child from a public middle school or high school,
2 subject to guidelines established by the State Board of
3 Education, shall be permitted by a school board one school
4 day-long excused absence per school year for the child who is
5 absent from school to engage in a civic event. The school board
6 may require that the student provide reasonable advance notice
7 of the intended absence to the appropriate school
8 administrator and require that the student provide
9 documentation of participation in a civic event to the
10 appropriate school administrator.

11 (Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22;
12 102-406, eff. 8-19-21; 102-813, eff. 5-13-22; 102-981, eff.
13 1-1-23.)

14 Section 95. No acceleration or delay. Where this Act makes
15 changes in a statute that is represented in this Act by text
16 that is not yet or no longer in effect (for example, a Section
17 represented by multiple versions), the use of that text does
18 not accelerate or delay the taking effect of (i) the changes
19 made by this Act or (ii) provisions derived from any other
20 Public Act.

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