



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3750

Introduced 2/17/2023, 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". Adds provisions requiring each public institution of higher education to make emergency contraception available for purchase through at least one vending machine located on each campus under its jurisdiction; defines "emergency contraception". Sets forth minimum requirements concerning the packaging, storage, cost, and dispensing of the emergency contraception. Effective immediately.

LRB103 25479 RJT 51828 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 "Emergency contraception" means medication approved by the
13 federal Food and Drug Administration (FDA) that can
14 significantly reduce the risk of pregnancy if taken within 72
15 hours after unprotected sexual intercourse.

16 "Governing board of each public institution of higher
17 education" means the Board of Trustees of the University of
18 Illinois, the Board of Trustees of Southern Illinois
19 University, the Board of Trustees of Chicago State University,
20 the Board of Trustees of Eastern Illinois University, the
21 Board of Trustees of Governors State University, the Board of
22 Trustees of Illinois State University, the Board of Trustees

1 of Northeastern Illinois University, the Board of Trustees of
2 Northern Illinois University, the Board of Trustees of Western
3 Illinois University, the board of trustees of each community
4 college district in this State, and the governing board of any
5 other public university, college, or community college now or
6 hereafter established or authorized by the General Assembly.

7 "Public institution of higher education" means the
8 University of Illinois, Southern Illinois University, Chicago
9 State University, Eastern Illinois University, Governors State
10 University, Illinois State University, Northeastern Illinois
11 University, Northern Illinois University, Western Illinois
12 University, a public community college in this State, or any
13 other public university, college, or community college now or
14 hereafter established or authorized by the General Assembly.

15 Section 10. Emergency contraception availability on
16 campus.

17 (a) The governing board of each public institution of
18 higher education, except the board of trustees of a community
19 college district, shall make emergency contraception available
20 for purchase through at least one vending machine located on
21 each campus under its jurisdiction. The vending machine must
22 be located in an area of campus where students can access the
23 emergency contraception on weekends and after class hours.

24 (b) The board of trustees of a community college district
25 shall make emergency contraception available for purchase

1 through at least one vending machine located on each campus
2 under its jurisdiction. The vending machine must be located in
3 an area of campus where students can access the emergency
4 contraception during class hours.

5 (c) A public institution of higher education shall ensure
6 that the emergency contraception made available through each
7 vending machine satisfies, at a minimum, all of the following
8 requirements:

9 (1) The emergency contraception must be sold only in
10 the manufacturer's clearly labeled, original, unbroken,
11 tamper-proof, and expiration-dated packaging.

12 (2) The emergency contraception may not be older than
13 the manufacturer's expiration date.

14 (3) The emergency contraception must be stored in
15 accordance with manufacturer recommendations.

16 (4) The emergency contraception must be made available
17 at a reduced price.

18 (c) A public institution of higher education shall ensure
19 that each vending machine has, at a minimum:

20 (1) an obvious and legible statement on the machine
21 that identifies the owner of the machine;

22 (2) a toll-free telephone number at which the consumer
23 may contact the owner of the machine; and

24 (3) a statement advising the consumer to check the
25 expiration date of the product before using the product.

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.