



Rep. Kam Buckner

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10300HB4253ham002

LRB103 34781 RJT 71713 a

1 AMENDMENT TO HOUSE BILL 4253

2 AMENDMENT NO. _____. Amend House Bill 4253, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Higher Education Violation Reporting Act.

7 Section 5. Definitions. In this Act:

8 "Employee" means a person who is receiving wages from an
9 institution of higher education and is in a position with
10 responsibility for overseeing the activities of a student
11 organization or athletic team. "Employee" does not include a
12 person employed as medical staff or with an affiliated
13 organization, entity, or extension of an institution of higher
14 education, unless the employee has a supervisory role or
15 position of authority over students. "Employee" does not
16 include confidential employees.

1 "Institution of higher education" means a public or
2 private institution of higher education located in this State.

3 "Reasonable cause" means a person who witnesses hazing or
4 receives a credible written or oral report alleging hazing or
5 potential or planned hazing activity.

6 Section 10. Violation reporting.

7 (a) Beginning with violations occurring during the
8 2024-2025 academic year, each institution of higher education
9 shall maintain a report, pursuant to subsection (d), on the
10 institution's website publicly reporting actual findings of
11 violations by any of the institution's recognized student
12 organizations or athletic teams of the institution's code of
13 conduct or anti-hazing policy or State or federal laws
14 relating to hazing. The report shall include all of the
15 following:

16 (1) The name of the student organization or athletic
17 team, unless naming the student organization or athletic
18 team would violate the federal Family Educational Rights
19 and Privacy Act of 1974 or the Illinois School Student
20 Records Act with regard to personally identifiable
21 information, including indirect identifiers.

22 (2) The date the investigation was initiated.

23 (3) The date on which the investigation ended with a
24 finding that a violation occurred.

25 (4) The date the student organization, athletic team,

1 or living group was charged with a violation.

2 (5) A description of the reported behavior, including
3 the date of the violation, and the findings and sanction
4 placed on the student organization or athletic team.

5 (6) The details of the sanction imposed, including the
6 beginning and end dates of the sanction.

7 The report may not disclose details of matters that have
8 been reported and are possibly being investigated of a sexual
9 nature that would fall under federal Department of Education
10 regulations against the express wishes of the complainant.

11 (b) An investigation that does not result in a finding of a
12 formal violation of the student code of conduct, anti-hazing
13 policy, or State or federal law may not be included in the
14 report under this Section. The report may not include any
15 personal or identifying information of individual students and
16 shall be subject to the requirements of the federal Family
17 Educational Rights and Privacy Act of 1974 and the Illinois
18 School Student Records Act.

19 (c) The institution of higher education shall make the
20 report under this Section available on its website in a
21 location clearly labeled and easily accessible from the
22 institution's website.

23 (d) The institution of higher education shall maintain and
24 update the information in the report for 5 years after that
25 information was first included in the report and shall post
26 the information in the report on its website within 45 days

1 after completion of the investigation and adjudication
2 process.

3 Section 15. Hazing prevention.

4 (a) Beginning with the 2024-2025 academic year, an
5 institution of higher education shall provide hazing
6 prevention education on the signs and dangers of hazing, as
7 well as the institution of higher education's prohibition on
8 hazing, to employees, including student employees, either in
9 person or electronically. The prevention education shall be
10 provided to employees at the beginning of each academic year.
11 In addition, the prevention education shall be provided to new
12 employees at the beginning of the academic term after they are
13 hired.

14 (b) If, as a result of observations or information
15 received in the course of employment, an employee, including a
16 student employee, at an institution of higher education has
17 reasonable cause to believe that hazing has occurred, the
18 employee shall report the incident or cause a report to be made
19 to a designated authority at the institution, as defined and
20 published by the institution, at the first opportunity
21 available.

22 (c) A person who witnesses hazing or has reasonable cause
23 to believe hazing has occurred or will occur and who makes a
24 report to an institution of higher education in good faith and
25 cooperates with any investigation may not be sanctioned or

1 punished by the institution for the hazing, unless the person
2 was directly engaged in the planning, directing, or act of
3 hazing that is being reported.

4 (d) Nothing in this Section precludes a person from
5 independently reporting hazing or suspected hazing activity to
6 a law enforcement agency.

7 Section 20. Employer responsibilities.

8 (a) Beginning with the 2024-2025 academic year, an
9 institution of higher education shall notify its employees
10 that the employees are mandated reporters.

11 (b) Beginning with the 2024-2025 academic year, an
12 institution of higher education shall provide training to its
13 employees on the responsibilities of a mandated reporter.

14 Section 90. The Criminal Code of 2012 is amended by
15 changing Section 12C-50 as follows:

16 (720 ILCS 5/12C-50)

17 Sec. 12C-50. Hazing.

18 (a) A person commits hazing when he or she knowingly
19 requires the performance of any act by a student or other
20 person in a school, college, university, or other educational
21 institution of this State, for the purpose of conferring,
22 gaining, or maintaining acceptance, membership, office, or
23 other status in ~~induction or admission into~~ any group,

1 organization, or society associated or connected with that
2 institution, regardless of the student or other person's
3 willingness to perform the act, if:

4 (1) the act is neither ~~not~~ sanctioned or authorized by
5 that educational institution nor is a customary athletic
6 event; and

7 (2) the act either (i) subjects any person to a
8 substantial risk of physical harm, mental harm, or
9 degradation or (ii) causes any person to suffer physical
10 harm, mental harm, or degradation ~~results in bodily harm~~
11 ~~to any person.~~

12 (b) Sentence. Hazing is a Class A misdemeanor, except that
13 hazing that results in death or great bodily harm is a Class 4
14 felony.

15 (Source: P.A. 97-1109, eff. 1-1-13.)

16 Section 99. Effective date. This Act takes effect July 1,
17 2024."