

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 5. The College Campus Press Act is amended by
5 changing Sections 5, 10, 20, 25, and 35 as follows:

6 (110 ILCS 13/5)

7 Sec. 5. Definitions. For purposes of this Act:

8 "Campus media" means any matter that is prepared,
9 substantially written, published, or broadcast by students at
10 State-sponsored institutions of higher learning, that is
11 distributed or generally made available, either free of charge
12 or for a fee, to members of the student body, and that is
13 prepared under the direction of a student media adviser.
14 "Campus media" does not include media that is intended for
15 distribution or transmission solely in the classrooms in which
16 it is produced.

17 "Campus policy" means the views and positions of
18 State-sponsored institutions of higher learning promulgated by
19 administrators, officials, or other agents of these
20 institutions.

21 "Collegiate media adviser" means a person who is employed,
22 appointed, or designated by the State-sponsored institution of
23 higher learning to supervise or provide instruction relating

1 to campus media.

2 "Collegiate student editor" means a student at a
3 State-sponsored institution of higher learning who edits
4 information prepared by collegiate student journalists for
5 dissemination in campus media.

6 "Collegiate student journalist" means a student at a
7 State-sponsored institution of higher learning who gathers,
8 compiles, writes, photographs, records, or prepares
9 information for dissemination in campus media.

10 "Prevailing party" includes any party who obtains some of
11 his or her requested relief through judicial judgment in his
12 or her favor, who obtains some of his or her requested relief
13 through a settlement agreement approved by the court, or whose
14 pursuit of a non-frivolous claim was a catalyst for a
15 unilateral change in position by the opposing party relative
16 to the relief sought.

17 "Public media produced at a State-sponsored institution of
18 higher learning" means media created and distributed in print
19 or audiovisual format which has been produced by an entity
20 receiving public funding and which has a license or other
21 agreement with a State-sponsored institution of higher
22 learning to use that institution's resources for the purposes
23 of producing or distributing the media for which the entity
24 receives public funding.

25 "State-sponsored institution of higher learning" means the
26 University of Illinois, Southern Illinois University, Chicago

1 State University, Eastern Illinois University, Governors State
2 University, Illinois State University, Northeastern Illinois
3 University, Northern Illinois University, Western Illinois
4 University, and public community colleges subject to the
5 Public Community College Act.

6 (Source: P.A. 95-580, eff. 6-1-08.)

7 (110 ILCS 13/10)

8 Sec. 10. Public forum.

9 (a) All campus media produced primarily by students at a
10 State-sponsored institution of higher learning is a public
11 forum for expression by the student journalists and editors at
12 the particular institution. Campus media, whether
13 campus-sponsored or noncampus-sponsored, is not subject to
14 prior review by public officials of a State-sponsored
15 institution of higher learning.

16 (b) All public media produced at a State-sponsored
17 institution of higher learning is a public forum for
18 expression by the employees producing media, including
19 journalists and editors, at the particular institution of
20 higher learning. Public media produced at a State-sponsored
21 institution of higher learning shall not be subject to prior
22 review by public officials of a State-sponsored institution of
23 higher learning.

24 (Source: P.A. 95-580, eff. 6-1-08.)

1 (110 ILCS 13/20)

2 Sec. 20. Injunction and declaratory relief. Either: (1) A
3 collegiate student enrolled in a State-sponsored institution
4 of higher learning; (2) ~~or~~ a collegiate media advisor of a
5 State-sponsored institution of higher learning; or (3) an
6 employee working for or an agent of an entity creating public
7 media produced at a State-sponsored institution of higher
8 learning may commence a civil action to obtain appropriate
9 injunctive and declaratory relief as determined by a court for
10 violation of Section 10 of this Act by such State-sponsored
11 institution of higher learning. Upon motion, a court may award
12 attorney's fees to a prevailing party in a civil action
13 brought under this Section.

14 (Source: P.A. 95-580, eff. 6-1-08.)

15 (110 ILCS 13/25)

16 Sec. 25. Campus policy and speech distinguished.
17 Expression made by a collegiate student journalist, collegiate
18 student editor, employee or agent of an entity producing
19 public media produced at a State-sponsored institution of
20 higher learning, or other contributor in campus media or
21 public media produced at a State-sponsored institution of
22 higher learning is neither an expression of campus policy nor
23 speech attributable to a State-sponsored institution of higher
24 learning.

25 (Source: P.A. 95-580, eff. 6-1-08.)

1 (110 ILCS 13/35)

2 Sec. 35. Immunity. A State-sponsored institution of higher
3 learning shall be immune from any lawsuit arising from
4 expression actually made in campus media or made by public
5 media produced at a State-sponsored institution of higher
6 learning, with the exception of the institution's own
7 expression.

8 (Source: P.A. 95-580, eff. 6-1-08.)