

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 "Wellness kiosk" means a mechanical device used for retail
16 sales of wellness products that may include, but is not
17 limited to, prophylactics, menstrual cups, tampons, menstrual
18 pads, pregnancy tests, and nonprescription drugs. A wellness
19 kiosk must also include discounted emergency contraception.

20 Section 10. Wellness kiosk availability on campus.

21 (a) The governing board of each public institution of
22 higher education, except the board of trustees of a community
23 college district, shall make at least one wellness kiosk
24 available on each campus under its jurisdiction. The wellness
25 kiosk must be located in an area of campus where students can

1 access the wellness kiosk on weekends and after class hours.

2 (b) The board of trustees of a community college district
3 shall make at least one wellness kiosk available on each
4 campus under its jurisdiction. The wellness kiosk must be
5 located in an area of campus where students can access the
6 wellness kiosk during class hours.

7 (c) A public institution of higher education shall ensure
8 that the wellness kiosk satisfies, at a minimum, all of the
9 following requirements:

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

13 (2) The products may not be older than the
14 manufacturer's expiration date.

15 (3) The products must be stored in accordance with
16 manufacturer recommendations.

17 (4) The emergency contraception in the wellness kiosk
18 must be made available at a reduced price.

19 (c) A public institution of higher education shall ensure
20 that each wellness kiosk has, at a minimum:

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

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

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

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.