

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Private Business and Vocational Schools Act of 2012 is amended by adding Section 75.5 as follows:

(105 ILCS 426/75.5 new)

Sec. 75.5. Operating without a permit; cease and desist order. The Board may issue a cease and desist order to any school operating without the required permit of approval and may impose a civil penalty for such a violation. Each day's violation shall constitute a separate offense. The penalty for such a violation shall be a fee or other conditions as established by rule. A penalty fee may not exceed \$10,000 per violation. The Attorney General may bring an action in circuit court to enforce the collection of the penalty fee.

The cease and desist order shall be issued to the school, shall contain the school's name and address and a brief factual statement, and shall identify this Act and the statutory citations of this Act allegedly violated and the penalty, if any, imposed. The cease and desist order must clearly state that the school may choose to request a hearing. If the school does not request a hearing with the Board within 30 days after the cease and desist order is served, then the

cease and desist order shall become final and not subject to appeal notwithstanding anything to the contrary under Section 85 of this Act.

Section 10. The Private College Act is amended by adding Section 14.20 and by changing Section 15 as follows:

(110 ILCS 1005/14.20 new)

Sec. 14.20. Operating without a certificate; cease and desist order. The Board may issue a cease and desist order to any post-secondary educational institution operating without the required certificate of approval and may impose a civil penalty for such a violation. Each day's violation shall constitute a separate offense. The penalty for such a violation shall be a fee or other conditions as established by rule. A penalty fee may not exceed \$10,000 per violation. The Attorney General may bring an action in circuit court to enforce the collection of the penalty fee.

The cease and desist order shall be issued to the institution, shall contain the institution's name and address and a brief factual statement, and shall identify this Act and the statutory citations of this Act allegedly violated and the penalty, if any, imposed. The cease and desist order must clearly state that the institution may choose to request a hearing. If the institution does not request a hearing with the Board within 30 days after the cease and desist order is

served, then the cease and desist order shall become final and not subject to appeal notwithstanding anything to the contrary under Section 12 of this Act.

(110 ILCS 1005/15) (from Ch. 144, par. 135)

Sec. 15. Violations.

(a) Any person violating any provision of this Act shall be guilty of a petty offense and fined not less than \$25 nor more than \$10,000. Each day's violation of any provision of this Act shall constitute a separate offense.

(b) Upon application of the Board's Executive Director, the Attorney General, or any State's Attorney, the circuit court of each county in which a violation of this Act or rules has occurred shall have jurisdiction to enjoin such a violation.

(Source: P.A. 103-288, eff. 7-28-23.)

Section 15. The Academic Degree Act is amended by adding Section 7.5 as follows:

(110 ILCS 1010/7.5 new)

Sec. 7.5. Cease and desist order. The Board may issue a cease and desist order to any educational organization or entity operating without the required authorization to operate and grant degrees. The Board may impose a civil penalty for such a violation. Each day's violation shall constitute a

separate offense. The penalty for such a violation shall be a fee or other conditions as established by rule. A penalty fee may not exceed \$10,000 per violation. The Attorney General may bring an action in circuit court to enforce the collection of the penalty fee.

The cease and desist order shall be issued to the educational organization or entity, shall contain the name and address of the educational organization or entity and a brief factual statement, and shall identify this Act and the statutory citations of this Act allegedly violated and the penalty, if any, imposed. The cease and desist order must state clearly that the educational organization or entity may choose to request a hearing. If the educational organization or entity does not request a hearing with the Board or its designee within 30 days after the cease and desist order is served, then the cease and desist order shall become final and not subject to appeal notwithstanding anything to the contrary under Section 10 of this Act.