

AN ACT concerning education.

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

Section 1. Short title. This Act may be cited as the Public Higher Education Act.

Section 3. Intent. It is the intent of the General Assembly that the requirements set forth in this Act should apply equally to each public institution of higher education in this State and to the governing board of each public institution of higher education in this State.

Section 5. Definitions. As used in this Act:

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

"Governing board of each public institution of higher education" means the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees

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

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

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

Section 10. Wellness kiosk availability on campus.

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

access the wellness kiosk on weekends and after class hours.

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

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

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

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

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

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

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

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

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

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

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