



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4158

by Rep. Thaddeus Jones

#### SYNOPSIS AS INTRODUCED:

110 ILCS 305/1e-5 new  
110 ILCS 520/8b.5 new  
110 ILCS 660/5-102 new  
110 ILCS 665/10-102 new  
110 ILCS 670/15-102 new  
110 ILCS 675/20-102 new  
110 ILCS 680/25-102 new  
110 ILCS 685/30-102 new  
110 ILCS 690/35-102 new

Amends various Acts relating to the governance of public universities in Illinois. Requires a public university to classify as an employee of the university a student who is an athlete of any of the top 3 financially profitable intercollegiate athletic programs at the university. Provides that the university shall pay the student athlete a minimum of \$25,000 per academic year, but his or her work hours and work schedule are at the discretion of the university. Allows the university to classify as an employee of the university a student who is an athlete of any of the other intercollegiate athletic programs at the university, with his or her pay, work hours, and work schedule determined by the university. Sets forth provisions concerning collegiate and intercollegiate athletic associations and contractual agreements. Effective July 1, 2018.

LRB100 14931 NHT 29757 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 University of Illinois Act is amended by  
5 adding Section 1e-5 as follows:

6 (110 ILCS 305/1e-5 new)

7 Sec. 1e-5. Classification of student athlete as employee.

8 (a) The University shall classify as an employee of the  
9 University a student who is an athlete of any of the top 3  
10 financially profitable intercollegiate athletic programs at  
11 the University. The University shall pay the student athlete a  
12 minimum of \$25,000 per academic year, but his or her work hours  
13 and work schedule are at the discretion of the University. The  
14 University may classify as an employee of the University a  
15 student who is an athlete of any of the other intercollegiate  
16 athletic programs at the University, with his or her pay, work  
17 hours, and work schedule determined by the University.

18 (b) No collegiate or intercollegiate athletic association  
19 may terminate the membership of the University because of the  
20 enactment or application of this Section, nor may any  
21 collegiate or intercollegiate association impose a penalty  
22 upon the University because of the enactment or application of  
23 this Section.

1       (c) Beginning on the effective date of this amendatory Act  
2 of the 100th General Assembly, the University is prohibited  
3 from entering into, modifying, or renewing a contract that  
4 requires the University to administer an intercollegiate  
5 athletic program in such a manner as to violate this Section.  
6 However, if the University, before the effective date of this  
7 amendatory Act of the 100th General Assembly, has contractually  
8 agreed to administer an intercollegiate athletic program in  
9 such a manner as to violate this Section, this Section does not  
10 apply until the expiration of the contract.

11       Section 10. The Southern Illinois University Management  
12 Act is amended by adding Section 8b.5 as follows:

13       (110 ILCS 520/8b.5 new)

14       Sec. 8b.5. Classification of student athlete as employee.

15       (a) The University shall classify as an employee of the  
16 University a student who is an athlete of any of the top 3  
17 financially profitable intercollegiate athletic programs at  
18 the University. The University shall pay the student athlete a  
19 minimum of \$25,000 per academic year, but his or her work hours  
20 and work schedule are at the discretion of the University. The  
21 University may classify as an employee of the University a  
22 student who is an athlete of any of the other intercollegiate  
23 athletic programs at the University, with his or her pay, work  
24 hours, and work schedule determined by the University.

1       (b) No collegiate or intercollegiate athletic association  
2 may terminate the membership of the University because of the  
3 enactment or application of this Section, nor may any  
4 collegiate or intercollegiate association impose a penalty  
5 upon the University because of the enactment or application of  
6 this Section.

7       (c) Beginning on the effective date of this amendatory Act  
8 of the 100th General Assembly, the University is prohibited  
9 from entering into, modifying, or renewing a contract that  
10 requires the University to administer an intercollegiate  
11 athletic program in such a manner as to violate this Section.  
12 However, if the University, before the effective date of this  
13 amendatory Act of the 100th General Assembly, has contractually  
14 agreed to administer an intercollegiate athletic program in  
15 such a manner as to violate this Section, this Section does not  
16 apply until the expiration of the contract.

17       Section 15. The Chicago State University Law is amended by  
18 adding Section 5-102 as follows:

19       (110 ILCS 660/5-102 new)

20       Sec. 5-102. Classification of student athlete as employee.

21       (a) The University shall classify as an employee of the  
22 University a student who is an athlete of any of the top 3  
23 financially profitable intercollegiate athletic programs at  
24 the University. The University shall pay the student athlete a

1 minimum of \$25,000 per academic year, but his or her work hours  
2 and work schedule are at the discretion of the University. The  
3 University may classify as an employee of the University a  
4 student who is an athlete of any of the other intercollegiate  
5 athletic programs at the University, with his or her pay, work  
6 hours, and work schedule determined by the University.

7 (b) No collegiate or intercollegiate athletic association  
8 may terminate the membership of the University because of the  
9 enactment or application of this Section, nor may any  
10 collegiate or intercollegiate association impose a penalty  
11 upon the University because of the enactment or application of  
12 this Section.

13 (c) Beginning on the effective date of this amendatory Act  
14 of the 100th General Assembly, the University is prohibited  
15 from entering into, modifying, or renewing a contract that  
16 requires the University to administer an intercollegiate  
17 athletic program in such a manner as to violate this Section.  
18 However, if the University, before the effective date of this  
19 amendatory Act of the 100th General Assembly, has contractually  
20 agreed to administer an intercollegiate athletic program in  
21 such a manner as to violate this Section, this Section does not  
22 apply until the expiration of the contract.

23 Section 20. The Eastern Illinois University Law is amended  
24 by adding Section 10-102 as follows:

1 (110 ILCS 665/10-102 new)

2 Sec. 10-102. Classification of student athlete as  
3 employee.

4 (a) The University shall classify as an employee of the  
5 University a student who is an athlete of any of the top 3  
6 financially profitable intercollegiate athletic programs at  
7 the University. The University shall pay the student athlete a  
8 minimum of \$25,000 per academic year, but his or her work hours  
9 and work schedule are at the discretion of the University. The  
10 University may classify as an employee of the University a  
11 student who is an athlete of any of the other intercollegiate  
12 athletic programs at the University, with his or her pay, work  
13 hours, and work schedule determined by the University.

14 (b) No collegiate or intercollegiate athletic association  
15 may terminate the membership of the University because of the  
16 enactment or application of this Section, nor may any  
17 collegiate or intercollegiate association impose a penalty  
18 upon the University because of the enactment or application of  
19 this Section.

20 (c) Beginning on the effective date of this amendatory Act  
21 of the 100th General Assembly, the University is prohibited  
22 from entering into, modifying, or renewing a contract that  
23 requires the University to administer an intercollegiate  
24 athletic program in such a manner as to violate this Section.  
25 However, if the University, before the effective date of this  
26 amendatory Act of the 100th General Assembly, has contractually

1 agreed to administer an intercollegiate athletic program in  
2 such a manner as to violate this Section, this Section does not  
3 apply until the expiration of the contract.

4 Section 25. The Governors State University Law is amended  
5 by adding Section 15-102 as follows:

6 (110 ILCS 670/15-102 new)

7 Sec. 15-102. Classification of student athlete as  
8 employee.

9 (a) The University shall classify as an employee of the  
10 University a student who is an athlete of any of the top 3  
11 financially profitable intercollegiate athletic programs at  
12 the University. The University shall pay the student athlete a  
13 minimum of \$25,000 per academic year, but his or her work hours  
14 and work schedule are at the discretion of the University. The  
15 University may classify as an employee of the University a  
16 student who is an athlete of any of the other intercollegiate  
17 athletic programs at the University, with his or her pay, work  
18 hours, and work schedule determined by the University.

19 (b) No collegiate or intercollegiate athletic association  
20 may terminate the membership of the University because of the  
21 enactment or application of this Section, nor may any  
22 collegiate or intercollegiate association impose a penalty  
23 upon the University because of the enactment or application of  
24 this Section.

1       (c) Beginning on the effective date of this amendatory Act  
2 of the 100th General Assembly, the University is prohibited  
3 from entering into, modifying, or renewing a contract that  
4 requires the University to administer an intercollegiate  
5 athletic program in such a manner as to violate this Section.  
6 However, if the University, before the effective date of this  
7 amendatory Act of the 100th General Assembly, has contractually  
8 agreed to administer an intercollegiate athletic program in  
9 such a manner as to violate this Section, this Section does not  
10 apply until the expiration of the contract.

11       Section 30. The Illinois State University Law is amended by  
12 adding Section 20-102 as follows:

13       (110 ILCS 675/20-102 new)

14       Sec. 20-102. Classification of student athlete as  
15 employee.

16       (a) The University shall classify as an employee of the  
17 University a student who is an athlete of any of the top 3  
18 financially profitable intercollegiate athletic programs at  
19 the University. The University shall pay the student athlete a  
20 minimum of \$25,000 per academic year, but his or her work hours  
21 and work schedule are at the discretion of the University. The  
22 University may classify as an employee of the University a  
23 student who is an athlete of any of the other intercollegiate  
24 athletic programs at the University, with his or her pay, work



1 hours, and work schedule determined by the University.

2 (b) No collegiate or intercollegiate athletic association  
3 may terminate the membership of the University because of the  
4 enactment or application of this Section, nor may any  
5 collegiate or intercollegiate association impose a penalty  
6 upon the University because of the enactment or application of  
7 this Section.

8 (c) Beginning on the effective date of this amendatory Act  
9 of the 100th General Assembly, the University is prohibited  
10 from entering into, modifying, or renewing a contract that  
11 requires the University to administer an intercollegiate  
12 athletic program in such a manner as to violate this Section.  
13 However, if the University, before the effective date of this  
14 amendatory Act of the 100th General Assembly, has contractually  
15 agreed to administer an intercollegiate athletic program in  
16 such a manner as to violate this Section, this Section does not  
17 apply until the expiration of the contract.

18 Section 35. The Northeastern Illinois University Law is  
19 amended by adding Section 25-102 as follows:

20 (110 ILCS 680/25-102 new)

21 Sec. 25-102. Classification of student athlete as  
22 employee.

23 (a) The University shall classify as an employee of the  
24 University a student who is an athlete of any of the top 3

1 financially profitable intercollegiate athletic programs at  
2 the University. The University shall pay the student athlete a  
3 minimum of \$25,000 per academic year, but his or her work hours  
4 and work schedule are at the discretion of the University. The  
5 University may classify as an employee of the University a  
6 student who is an athlete of any of the other intercollegiate  
7 athletic programs at the University, with his or her pay, work  
8 hours, and work schedule determined by the University.

9 (b) No collegiate or intercollegiate athletic association  
10 may terminate the membership of the University because of the  
11 enactment or application of this Section, nor may any  
12 collegiate or intercollegiate association impose a penalty  
13 upon the University because of the enactment or application of  
14 this Section.

15 (c) Beginning on the effective date of this amendatory Act  
16 of the 100th General Assembly, the University is prohibited  
17 from entering into, modifying, or renewing a contract that  
18 requires the University to administer an intercollegiate  
19 athletic program in such a manner as to violate this Section.  
20 However, if the University, before the effective date of this  
21 amendatory Act of the 100th General Assembly, has contractually  
22 agreed to administer an intercollegiate athletic program in  
23 such a manner as to violate this Section, this Section does not  
24 apply until the expiration of the contract.

25 Section 40. The Northern Illinois University Law is amended

1 by adding Section 30-102 as follows:

2 (110 ILCS 685/30-102 new)

3 Sec. 30-102. Classification of student athlete as  
4 employee.

5 (a) The University shall classify as an employee of the  
6 University a student who is an athlete of any of the top 3  
7 financially profitable intercollegiate athletic programs at  
8 the University. The University shall pay the student athlete a  
9 minimum of \$25,000 per academic year, but his or her work hours  
10 and work schedule are at the discretion of the University. The  
11 University may classify as an employee of the University a  
12 student who is an athlete of any of the other intercollegiate  
13 athletic programs at the University, with his or her pay, work  
14 hours, and work schedule determined by the University.

15 (b) No collegiate or intercollegiate athletic association  
16 may terminate the membership of the University because of the  
17 enactment or application of this Section, nor may any  
18 collegiate or intercollegiate association impose a penalty  
19 upon the University because of the enactment or application of  
20 this Section.

21 (c) Beginning on the effective date of this amendatory Act  
22 of the 100th General Assembly, the University is prohibited  
23 from entering into, modifying, or renewing a contract that  
24 requires the University to administer an intercollegiate  
25 athletic program in such a manner as to violate this Section.

1 However, if the University, before the effective date of this  
2 amendatory Act of the 100th General Assembly, has contractually  
3 agreed to administer an intercollegiate athletic program in  
4 such a manner as to violate this Section, this Section does not  
5 apply until the expiration of the contract.

6 Section 45. The Western Illinois University Law is amended  
7 by adding Section 35-102 as follows:

8 (110 ILCS 690/35-102 new)

9 Sec. 35-102. Classification of student athlete as  
10 employee.

11 (a) The University shall classify as an employee of the  
12 University a student who is an athlete of any of the top 3  
13 financially profitable intercollegiate athletic programs at  
14 the University. The University shall pay the student athlete a  
15 minimum of \$25,000 per academic year, but his or her work hours  
16 and work schedule are at the discretion of the University. The  
17 University may classify as an employee of the University a  
18 student who is an athlete of any of the other intercollegiate  
19 athletic programs at the University, with his or her pay, work  
20 hours, and work schedule determined by the University.

21 (b) No collegiate or intercollegiate athletic association  
22 may terminate the membership of the University because of the  
23 enactment or application of this Section, nor may any  
24 collegiate or intercollegiate association impose a penalty

1 upon the University because of the enactment or application of  
2 this Section.

3 (c) Beginning on the effective date of this amendatory Act  
4 of the 100th General Assembly, the University is prohibited  
5 from entering into, modifying, or renewing a contract that  
6 requires the University to administer an intercollegiate  
7 athletic program in such a manner as to violate this Section.  
8 However, if the University, before the effective date of this  
9 amendatory Act of the 100th General Assembly, has contractually  
10 agreed to administer an intercollegiate athletic program in  
11 such a manner as to violate this Section, this Section does not  
12 apply until the expiration of the contract.

13 Section 99. Effective date. This Act takes effect July 1,  
14 2018.