

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 is amended by changing Section 1.1 as follows:

(105 ILCS 425/1.1) (from Ch. 144, par. 136.1)

Sec. 1.1. Exemptions and annual filing.

(a) For purposes of this Act, the following shall not be considered to be a private business and vocational school:

(1) Any eleemosynary institution.

(2) Any religious institution.

(3) Any public educational institution exempt from property taxation under the laws of this State.

(4) Any in-service course of instruction and subject offered by an employer provided no tuition is charged and such instruction is offered only to employees of such employer.

(5) Any educational institution (A) which (i) ~~on the effective date of this amendatory Act of 1984 or which on January 2, 2001~~ enrolls a majority of its students in degree programs and has maintained an accredited status with the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools or

(ii) on or after the effective date of this amendatory Act of the 93rd General Assembly enrolls students in one or more bachelor-level programs, enrolls a majority of its students in degree programs, and is accredited by a national accrediting agency that is recognized by the U.S. Department of Education and (B) which is regulated by the Illinois Board of Higher Education under the Private College Act or the Academic Degree Act, or which is exempt from such regulation under either of the foregoing Acts solely for the reason that such educational institution was in operation on the effective date of either such Act.

(6) Any institution and the franchisees of such institution which offer exclusively a course of instruction in income tax theory or return preparation at a total contract price of no more than \$400, provided that the total annual enrollment of such institution for all such courses of instruction exceeds 500 students, and further provided that the total contract price for all instruction offered to a student in any one calendar year does not exceed \$400. For each calendar year after 1990, the total contract price shall be adjusted, rounded off to the nearest dollar, by the same percentage as the increase or decrease in the general price level as measured by the consumer price index for all urban consumers for the United States, or its successor index, as defined and officially reported by the United States Department of Labor, or its

successor agency. The change in the index shall be that as first published by the Department of Labor for the calendar year immediately preceding the year in which the total contract price is calculated.

(b) An institution exempted under subsection (a) of this Section must file with the Superintendent an annual financial report to demonstrate continued compliance by the institution with the requirements on which the exemption is based.

(Source: P.A. 92-62, eff. 1-1-02; 93-919, eff. 8-12-04.)

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