



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3709

Introduced 2/18/2025, by Rep. Anna Moeller

SYNOPSIS AS INTRODUCED:

110 ILCS 167/5
110 ILCS 167/19 new
110 ILCS 167/20 new

Amends the Public Higher Education Act. Provides that, beginning with the 2025-2026 school year, each public institution of higher education with student health services shall provide enrolled students with access to health care professionals authorized under State law to prescribe contraception. Provides that, beginning with the 2025-2026 school year, if the public institution of higher education's student health services includes a pharmacy, the pharmacy on campus shall dispense contraception to enrolled students who wish to fill their prescriptions at the university pharmacy. Provides that, beginning with the 2025-2026 school year, each public institution of higher education with student health services shall provide enrolled students with access to health care professionals authorized under State law to prescribe medication abortion. Provides that a public institution of higher education that dispenses medication abortion from the university pharmacy shall enter into a referral agreement with a tertiary care facility with obstetrics and gynecological services in the event of complication from medication abortion or suspected complicated pregnancy prior to dispensing medication abortion. Requires each public institution of higher education to report annually to the Board of Higher Education that policies under the provisions have been adopted. Requires the Board to post to its website annually each public institution of higher education's compliance with the policies under the provisions. Effective immediately.

LRB104 10311 LNS 20385 b

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 Public Higher Education Act is amended by
5 changing Section 5 and by adding Sections 19 and 20 as follows:

6 (110 ILCS 167/5)

7 Sec. 5. Definitions. As used in this Act:

8 "Contraception" means medication or medical devices used
9 to prevent pregnancy.

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

14 "Governing board of each public institution of higher
15 education" means the Board of Trustees of the University of
16 Illinois, the Board of Trustees of Southern Illinois
17 University, the Board of Trustees of Chicago State University,
18 the Board of Trustees of Eastern Illinois University, the
19 Board of Trustees of Governors State University, the Board of
20 Trustees of Illinois State University, the Board of Trustees
21 of Northeastern Illinois University, the Board of Trustees of
22 Northern Illinois University, the Board of Trustees of Western
23 Illinois University, the board of trustees of each community

1 college district in this State, and the governing board of any
2 other public university, college, or community college now or
3 hereafter established or authorized by the General Assembly.

4 "Medication abortion" means termination of pregnancy by
5 use of medication.

6 "Primary care services" has the meaning given to that term
7 in Section 10 of the Equity and Representation in Health Care
8 Act.

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

17 "Student health services" means any clinic, facility, or
18 program operated by or affiliated with a public institution of
19 higher education intending to provide primary care services to
20 enrolled students of any State public institution of higher
21 education.

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

1 (Source: P.A. 103-465, eff. 8-4-23.)

2 (110 ILCS 167/19 new)

3 Sec. 19. Medication contraception availability on campus.

4 (a) Beginning with the 2025-2026 school year, each public
5 institution of higher education with student health services
6 shall provide enrolled students with access to health care
7 professionals authorized under State law to prescribe
8 contraception. These health care professionals shall be
9 available to discuss contraception options and prescribe
10 contraception, as needed, including both medication and
11 procedural based forms of contraception. This service shall be
12 provided through: student health services; telehealth
13 services; or other external licensed providers. This service
14 shall be performed by providers who are licensed to prescribe
15 and dispense contraception and may be performed by more than
16 one provider.

17 (b) Beginning with the 2025-2026 school year, if the
18 public institution of higher education's student health
19 services includes a pharmacy, the pharmacy on campus shall
20 dispense contraception to enrolled students who wish to fill
21 their prescriptions at the university pharmacy. The student
22 may choose to fill the student's prescription at a third-party
23 pharmacy.

24 (c) Each public institution of higher education shall
25 report annually to the Board of Higher Education that policies

1 under this Section have been adopted. This may be included in
2 an existing report. The Board of Higher Education shall post
3 to its website annually each public institution of higher
4 education's compliance with the policies under this Section.

5 (110 ILCS 167/20 new)

6 Sec. 20. Medication abortion availability on campus.

7 (a) Beginning with the 2025-2026 school year, each public
8 institution of higher education with student health services
9 shall provide enrolled students with access to health care
10 professionals authorized under State law to prescribe
11 medication abortion. These health care professionals shall be
12 available to discuss abortion options and prescribe medication
13 abortion, as needed. This service shall be provided through:
14 student health services; telehealth services; or other
15 external licensed providers. This service shall be performed
16 by providers who are licensed to prescribe and dispense
17 medication abortion but need not be performed by one provider.

18 (b) Beginning with the 2025-2026 school year, if the
19 public institution of higher education's student health
20 services includes a pharmacy, the pharmacy on campus shall
21 dispense the medication abortion to enrolled students who wish
22 to fill their prescriptions at the university pharmacy. The
23 student may choose to fill the student's prescription at a
24 third-party pharmacy.

25 (c) A public institution of higher education that

1 dispenses medication abortion from the university pharmacy
2 shall enter into a referral agreement with a tertiary care
3 facility with obstetrics and gynecological services in the
4 event of complication from medication abortion or suspected
5 complicated pregnancy prior to dispensing medication abortion.

6 (d) Each public institution of higher education shall
7 report annually to the Board of Higher Education that policies
8 under this Section have been adopted. This may be included in
9 an existing report. The Board of Higher Education shall post
10 to its website annually each public institution of higher
11 education's compliance with the policies under this Section.

12 Section 97. Severability. The provisions of this Act are
13 severable under Section 1.31 of the Statute on Statutes.

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