



Rep. Sonya M. Harper

Filed: 4/7/2026

10400HB5507ham001

LRB104 17456 LNS 36270 a

1 AMENDMENT TO HOUSE BILL 5507

2 AMENDMENT NO. _____. Amend House Bill 5507 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Food
5 Reform to Ensure Student Health Act.

6 Section 5. Purpose. The purpose of this Act is to
7 facilitate and support the creation of health-promoting eating
8 environments in this State.

9 Section 10. Definitions. As used in this Act:

10 "Category of food" means the following groups of food:

- 11 (1) fruits;
- 12 (2) vegetables;
- 13 (3) grains;
- 14 (4) cereals;
- 15 (5) beans, peas, and lentils;

- 1 (6) nuts, seeds, and soy products;
- 2 (7) beverages;
- 3 (8) dairy;
- 4 (9) seafood;
- 5 (10) poultry;
- 6 (11) meat;
- 7 (12) eggs;
- 8 (13) condiments;
- 9 (14) fats and oils; and
- 10 (15) herbs and spices.

11 "Category of food" includes any groups of food enumerated in
12 this definition that the State Board expands, clarifies, or
13 subdivides by rule.

14 "FDA" means the U.S. Food and Drug Administration.

15 "Food" means all food and beverages intended for sale or
16 to be served to school pupils on campus during the school day.
17 "Food" does not include meals reimbursed under the federal
18 Richard B. Russell National School Lunch Act or the federal
19 Child Nutrition Act of 1966, except to the extent permitted
20 under federal law.

21 "Food product" means the finished product of a food or
22 beverage with a unique universal product code, other than a
23 food product reimbursed under a program authorized by the
24 federal Richard B. Russell National School Lunch Act or the
25 federal Child Nutrition Act of 1966 or food provided by the
26 United States Department of Agriculture Foods in Schools

1 program. "Food product" does not include meals reimbursed
2 under the federal Richard B. Russell National School Lunch Act
3 or the federal Child Nutrition Act of 1966, except to the
4 extent permitted under federal law.

5 "Health-promoting eating environment" means there are
6 healthy, good-quality, culturally appropriate, and affordable
7 options in a place where food and beverages are served or sold.

8 "High amounts of saturated fat, sodium, or added sugar"
9 means that:

10 (1) the food or beverage contains 10% or greater of
11 total energy from saturated fat, excluding whole or
12 minimally processed food or if evaluated in the context of
13 overall nutrient density, as defined by the federal
14 2025-2030 Dietary Guidelines for Americans;

15 (2) the food or beverage contains a ratio of
16 milligrams of sodium to calories that is equal to or
17 greater than 1:1; or

18 (3) the food or beverage contains 10% or greater of
19 total energy from added sugars.

20 "Nonnutritive sweetener or other substance" means:

21 (1) nonnutritive sweeteners, as defined in 21 CFR
22 170.3(o)(19); or

23 (2) any of the following substances:

24 (A) D-sorbitol (CAS 50-70-4);

25 (B) erythritol (CAS 149-32-6);

26 (C) hydrogenated starch hydrolysates, including,

1 but not limited to, CAS 68425-17-2;

2 (D) sucralose (CAS 56038-13-2);

3 (E) isomalt, including, but not limited to, CAS
4 64519-82-0, CAS 534-73-6, and CAS 20942-99-8;

5 (F) lactitol (CAS 585-86-4);

6 (G) Luo Han Fruit Concentrate (CAS 977188-77-4);

7 (H) maltitol (CAS 585-88-6);

8 (I) steviol glycosides, including, but not limited
9 to, CAS 58543-16-1, CAS 57817-89-7, CAS 1220616-44-3,
10 and CAS 1220616-34-1;

11 (J) thaumatin, including, but not limited to, CAS
12 53850-34-3; or

13 (K) xylitol (CAS 87-99-0).

14 "Public entity" means the State, a State agency, a unit of
15 local government, or a school district.

16 "Restricted school food" means a food or beverage product
17 that:

18 (1) contains substances available in the United States
19 Food and Drug Administration's Substances Added to Food
20 inventory database, except for salt or sodium chloride,
21 spices or other natural seasonings or flavorings listed in
22 21 CFR 182.10, and natural color additives listed in 21
23 CFR 73, that are designated as having any of the following
24 FDA-defined technical effects:

25 (A) surface-active agents, as defined in 21 CFR
26 170.3(o) (29);

1 (B) stabilizers and thickeners, as defined in 21
2 CFR 170.3(o) (28);

3 (C) propellants and aerating agents, as defined in
4 21 CFR 170.3(o) (25);

5 (D) colors and coloring adjuncts, as defined in 21
6 CFR 170.3(o) (4);

7 (E) emulsifiers and emulsifier salts, as defined
8 in 21 CFR 170.3(o) (8);

9 (F) flavoring agents and adjuvants, as defined in
10 21 CFR 170.3(o) (12), excluding spices and other
11 natural seasonings and flavorings listed in 21 CFR
12 182.10;

13 (G) flavor enhancers, as defined in 21 CFR
14 170.3(o) (11), excluding spices and other natural
15 seasonings and flavorings listed in 21 CFR 182.10; or

16 (H) nonnutritive sweeteners, as defined in 21 CFR
17 170.3(o) (19); and

18 (2) is restricted from service or sale in schools by
19 rules adopted by the State Board under Section 15.

20 "Restricted school food" does not include any of the
21 following:

22 (1) commodity food specifically made available by the
23 United States Department of Agriculture;

24 (2) a raw agricultural commodity;

25 (3) an unprocessed locally grown or locally raised
26 agricultural product, as defined in 7 CFR 210.21(g) (2);

1 (4) minimally processed prepared food, as defined by
2 the State Board by rule, which may include food in a
3 variety of forms, including, but not limited to, whole,
4 cut, sliced, diced, canned, pureed, dried, and
5 pasteurized;

6 (5) Class I milk, as determined by Federal Milk
7 Marketing Orders;

8 (6) alcoholic beverages;

9 (7) medical food, as defined in 21 CFR 101.9(j)(8),
10 only if exempted by the State Board by rule; and

11 (8) infant formula, as defined in 21 CFR 107, only if
12 exempted by the State Board by rule.

13 "School" means an elementary or secondary school or any
14 public entity, including any contractor, vendor, or food
15 service management company acting on behalf of such entity,
16 that purchases or provides food or food products to pupils on
17 campus during the school day.

18 "School day" means that period of time during which a
19 pupil is required to be in attendance for instructional
20 purposes.

21 "State Board" means the State Board of Education.

22 "Ultraprocessed food" or "UPF" means any food or beverage
23 that contains:

24 (1) substances available in the United States Food and
25 Drug Administration's Substances Added to Food inventory
26 database, except for salt or sodium chloride, spices or

1 other natural seasonings or flavorings listed in 21 CFR
2 182.10, and natural color additives listed in 21 CFR 73,
3 that are designated as having any of the following
4 FDA-defined technical effects:

5 (A) surface-active agents, as defined in 21 CFR
6 170.3(o) (29);

7 (B) stabilizers and thickeners, as defined in 21
8 CFR 170.3(o) (28);

9 (C) propellants and aerating agents, as defined in
10 21 CFR 170.3(o) (25);

11 (D) colors and coloring adjuncts, as defined in 21
12 CFR 170.3(o) (4);

13 (E) emulsifiers and emulsifier salts, as defined
14 in 21 CFR 170.3(o) (8);

15 (F) flavoring agents and adjuvants, as defined in
16 21 CFR 170.3(o) (12), excluding spices and other
17 natural seasonings and flavorings, as listed in 21 CFR
18 182.10;

19 (G) flavor enhancers, as defined in 21 CFR
20 170.3(o) (11), excluding spices and other natural
21 seasonings and flavorings, as listed in 21 CFR 182.10;
22 or

23 (H) nonnutritive sweeteners, as defined in 21 CFR
24 170.3(o) (19); and

25 (2) either high amounts of saturated fat, sodium, or
26 added sugar or a nonnutritive sweetener or other

1 substance.

2 "Ultraprocessed food" or "UPF" does not include any of the
3 following:

4 (1) whole or minimally processed food provided through
5 the United States Department of Agriculture Foods in
6 Schools Program, including fresh produce and raw
7 agricultural commodities and except for processed or
8 manufactured food products, unless otherwise determined by
9 the State Board by rule;

10 (2) a raw agricultural commodity;

11 (3) an unprocessed locally grown or locally raised
12 agricultural product, as defined in 7 CFR 210.21(g) (2);

13 (4) minimally processed prepared food, as defined by
14 the State Board by rule, which may include food in a
15 variety of forms, including, but not limited to, whole,
16 cut, sliced, diced, canned, pureed, dried, and
17 pasteurized;

18 (5) Class I milk, as determined by Federal Milk
19 Marketing Orders;

20 (6) alcoholic beverages;

21 (7) medical food, as defined in 21 CFR 101.9(j) (8),
22 only if exempted by the State Board by rule; and

23 (8) infant formula, as defined in 21 CFR 107, only if
24 exempted by the State Board by rule.

25 "Ultraprocessed food of concern" means a food or food
26 product that is an ultraprocessed food and that is of concern

1 under rules adopted by the State Board under Section 15.

2 Section 15. Rules.

3 (a) On or before June 1, 2028, the State Board, in
4 consultation with the Department of Public Health, shall adopt
5 rules to implement and administer this Act. These rules shall
6 include, but not be limited to, rules to define
7 "ultraprocessed foods of concern" and "restricted school
8 foods" that consider all of the following factors:

9 (1) whether the substance or group of substances are
10 banned or restricted in other state, federal, or
11 international jurisdictions due to concerns about adverse
12 health consequences;

13 (2) whether the products include or require a warning
14 label in other state, federal, or international
15 jurisdictions due to concerns about adverse health
16 consequences;

17 (3) whether, based on reputable, peer-reviewed
18 scientific evidence, a substance or group of substances
19 are linked to health harms or adverse health consequences,
20 including, but not limited to, any of the following:

21 (A) cancer;

22 (B) cardiovascular disease;

23 (C) metabolic disease;

24 (D) developmental or behavioral issues;

25 (E) reproductive harm;

1 (F) obesity;

2 (G) type 2 diabetes; and

3 (H) other health harms associated with UPF
4 consumption;

5 (4) whether, based on reputable, peer-reviewed
6 scientific evidence, a substance or group of substances
7 may be hyperpalatable or may contribute to food addiction;

8 (5) whether the food has been modified to be high in
9 saturated fat, added sugar, or salt;

10 (6) whether the food meets the requirements of the
11 United States Food and Drug Administration's final rule
12 issued on December 27, 2024, titled "Food Labeling:
13 Nutrient Content Claims; Definition of Term 'Healthy'" (89
14 FR 106064, codified at 21 CFR 101.65), that defines
15 nutrient contents that are deemed to be a part of a
16 nutritious diet; and

17 (7) whether the substance is a common natural
18 additive.

19 (b) In the adoption of the rules defining "ultraprocessed
20 foods of concern" and "restricted school foods" under
21 subsection (a), the State Board shall be guided by a rigorous
22 examination of available and reputable, peer-reviewed
23 scientific evidence and shall consider all of the following:

24 (1) the total number of jurisdictions where the
25 substance or product is banned, restricted, or requires a
26 warning label;

1 (2) the basis for any determination by another
2 jurisdiction to ban, restrict, or require a warning label
3 for any substance or product;

4 (3) the quality, caliber, and scope of any scientific
5 evidence for any determination, including a rigorous
6 examination of whether the evidence is the product of
7 scientific research conducted according to internationally
8 recognized best practices for scientific research; and

9 (4) any reputable, peer-reviewed scientific evidence
10 that would call into question any determination that a
11 substance is linked to health harms or adverse health
12 consequences.

13 (c) The State Board shall review its rules and, as needed,
14 update the definitions of "ultraprocessed foods of concern"
15 and "restricted school foods" every 5 years to accommodate any
16 relevant advances in scientific knowledge, the development of
17 better agricultural or manufacturing practices, or other
18 changes that require revision of either or both of the
19 definitions. If an update to either or both of those
20 definitions would add a food product to the list of
21 "restricted school foods" or "ultraprocessed foods of
22 concern", the State Board shall delay the operation of the
23 revised definition by 3 years to give impacted entities time
24 to comply with the new definition's impact on the requirements
25 of this Act.

26 (d) The State Board shall adopt and revise rules under

1 this Section in consultation with appropriate State agencies
2 and universities, as well as school food authorities, school
3 nutrition program directors, and school nutrition program
4 managers, as defined in 7 CFR 210.2, after providing an
5 opportunity for all interested parties to comment.

6 (e) The State Board may seek information from academia,
7 other states, the federal government, and other nations to
8 inform implementation of this Section.

9 (f) In adopting rules under this Section, the State Board
10 shall ensure consistency with federal laws and rules governing
11 school nutrition programs, including any updates to the
12 federal 2025-2030 Dietary Guidelines for Americans.

13 Section 20. Phasing out restricted school foods and
14 ultraprocessed foods of concern.

15 (a) No later than July 1, 2029, all schools shall begin to
16 phase out restricted school foods and ultraprocessed foods of
17 concern.

18 (b) Beginning July 1, 2032, a vendor, contractor, or food
19 service management company may not offer restricted school
20 foods or ultraprocessed foods of concern to a school.

21 (c) The failure of a school, school district, regional
22 office of education, charter school, vendor, contractor, or
23 food service management company to comply with this Section
24 does not create a private right of action.

25 (d) Implementation of this Section with respect to

1 reimbursable meals shall be carried out in a manner consistent
2 with federal laws and rules governing child nutrition
3 programs.

4 Section 25. Vendors; report requirements.

5 (a) On or before February 1, 2028 and on or before February
6 1 of each year thereafter through February 1, 2032, any vendor
7 of food or food products for a school shall report the
8 following information to the State Board for each food product
9 sold to schools in the past calendar year, to the extent it is
10 known to the vendor:

11 (1) the total quantity of that food product sold to
12 schools;

13 (2) the name of the food product;

14 (3) whether the food product is an ultraprocessed
15 food;

16 (4) whether the food product is a restricted school
17 food or an ultraprocessed food of concern;

18 (5) the category or categories of food to which the
19 food product belongs;

20 (6) the average total calories in each food product
21 sold to schools that year;

22 (7) the ingredient list for the food product; and

23 (8) the Nutrition Facts for the food product.

24 (b) The requirements of subsection (a) do not apply to:

25 (1) a cottage food operation, as defined in Section 4

1 of the Food Handling Regulation Enforcement Act;

2 (2) a home kitchen operation, as defined in Section
3 3.6 of the Food Handling Regulation Enforcement Act; or

4 (3) a small business, as defined in Section 1-75 of
5 the Illinois Administrative Procedure Act.

6 (c) The failure of a vendor to comply with this Section
7 does not create a private right of action.

8 (d) This Section is inoperative beginning on July 1, 2033.
9 This Section is repealed on January 1, 2034.

10 Section 30. Annual report.

11 (a) On or before July 1, 2028 and on or before July 1 of
12 each year thereafter through July 1, 2032, the State Board, in
13 consultation with the Department of Public Health and using
14 information reported under Section 25, shall submit to the
15 General Assembly and the Governor a written report containing
16 all of the following information:

17 (1) a summary and analysis of information reported
18 under Section 25 for the prior year;

19 (2) a summary and analysis of the progress of the
20 restricted school foods and ultraprocessed foods of
21 concern phaseout required by this Act;

22 (3) estimates of the amount of foods that are not
23 ultraprocessed food items and are sold or served to pupils
24 on campus during the school day in elementary or secondary
25 schools;

1 (4) estimates of the portion of the average elementary
2 or secondary school food intake, in calories, that is
3 composed of ultraprocessed foods;

4 (5) a strategy for reducing the consumption of
5 ultraprocessed foods, restricted school foods, and
6 ultraprocessed foods of concern in schools;

7 (6) analysis of the feasibility of reducing the sale
8 or service of ultraprocessed foods, restricted school
9 foods, and ultraprocessed foods of concern in schools;

10 (7) any actions the State Board or the Department of
11 Public Health plans to take regarding restricted school
12 foods and ultraprocessed foods of concern; and

13 (8) recommendations for State and local legislative
14 actions that could reduce the consumption of restricted
15 school foods and ultraprocessed foods of concern in
16 schools.

17 (b) The State Board shall make the report prepared under
18 subsection (a) publicly available on its Internet website.

19 (c) This Section is inoperative beginning on August 1,
20 2033. This Section is repealed on January 1, 2034.

21 Section 35. More stringent restrictions permitted. This
22 Act does not limit or deny the powers of a public entity,
23 including a home rule unit, to adopt more stringent
24 restrictions on ultraprocessed foods, restricted school foods,
25 or ultraprocessed foods of concern.

1 Section 40. Compliance training and technical assistance.

2 (a) For purposes of this Act, the State Board shall
3 consult with the Department of Public Health regarding
4 compliance training and technical assistance for school food
5 service and procurement staff and for purposes of nutrition
6 and public health expertise.

7 (b) The State Board shall establish a structure to deliver
8 training and technical assistance to school districts,
9 regional offices of education, and charter schools.

10 (c) The State Board may contract with providers with
11 expertise in nutrition, school-community collaboration of
12 service delivery and financing, and coordination and
13 integration of support services to deliver training and
14 technical assistance to implement this Act.

15 (d) The topics for the training provided under this
16 Section shall be identified by the State Board through a
17 periodic survey of school districts. The curriculum for the
18 training may be developed in consultation with representatives
19 from associations, consumer associations, and others, as
20 deemed appropriate by the State Board.

21 Section 45. Compliance and enforcement.

22 (a) The State Board shall oversee implementation and
23 compliance with this Act.

24 (b) The State Board shall establish a process to monitor

1 compliance by schools, school districts, vendors, contractors,
2 and food service management companies subject to this Act.

3 (c) If the State Board determines that a school, school
4 district, vendor, contractor, or food service management
5 company is not in compliance with this Act or rules adopted
6 under this Act, the State Board shall first provide written
7 notice and an opportunity to cure the noncompliance.

8 (d) The State Board may require the submission of a
9 corrective action plan to achieve compliance within a
10 reasonable timeframe.

11 (e) For continued or repeated noncompliance, the State
12 Board may take appropriate administrative action, including,
13 but not limited to:

14 (1) requiring additional reporting or monitoring;

15 (2) restricting a vendor, contractor, or food service
16 management company from entering into new or renewed
17 contracts with a school or school district; and

18 (3) any other administrative remedies authorized by
19 law.

20 (f) Nothing in this Section may be construed to create a
21 private right of action.

22 Section 50. Food or food product standards. Nothing in
23 this Act prohibits the State from adopting standards regarding
24 food or food products that exceed federal minimum requirements
25 if not in conflict with federal law.

1 Section 90. The School Code is amended by changing Section
2 27A-5 as follows:

3 (105 ILCS 5/27A-5)

4 Sec. 27A-5. Charter school; legal entity; requirements.

5 (a) A charter school shall be a public, nonsectarian,
6 nonreligious, non-home based, and non-profit school. A charter
7 school shall be organized and operated as a nonprofit
8 corporation or other discrete, legal, nonprofit entity
9 authorized under the laws of the State of Illinois.

10 (b) A charter school may be established under this Article
11 by creating a new school or by converting an existing public
12 school or attendance center to charter school status. In all
13 new applications to establish a charter school in a city
14 having a population exceeding 500,000, operation of the
15 charter school shall be limited to one campus. This limitation
16 does not apply to charter schools existing or approved on or
17 before April 16, 2003.

18 (b-5) (Blank).

19 (c) A charter school shall be administered and governed by
20 its board of directors or other governing body in the manner
21 provided in its charter. The governing body of a charter
22 school shall be subject to the Freedom of Information Act and
23 the Open Meetings Act. A charter school's board of directors
24 or other governing body must include at least one parent or

1 guardian of a pupil currently enrolled in the charter school
2 who may be selected through the charter school or a charter
3 network election, appointment by the charter school's board of
4 directors or other governing body, or by the charter school's
5 Parent Teacher Organization or its equivalent.

6 (c-5) No later than January 1, 2021 or within the first
7 year of his or her first term, every voting member of a charter
8 school's board of directors or other governing body shall
9 complete a minimum of 4 hours of professional development
10 leadership training to ensure that each member has sufficient
11 familiarity with the board's or governing body's role and
12 responsibilities, including financial oversight and
13 accountability of the school, evaluating the principal's and
14 school's performance, adherence to the Freedom of Information
15 Act and the Open Meetings Act, and compliance with education
16 and labor law. In each subsequent year of his or her term, a
17 voting member of a charter school's board of directors or
18 other governing body shall complete a minimum of 2 hours of
19 professional development training in these same areas. The
20 training under this subsection may be provided or certified by
21 a statewide charter school membership association or may be
22 provided or certified by other qualified providers approved by
23 the State Board.

24 (d) For purposes of this subsection (d), "non-curricular
25 health and safety requirement" means any health and safety
26 requirement created by statute or rule to provide, maintain,

1 preserve, or safeguard safe or healthful conditions for
2 students and school personnel or to eliminate, reduce, or
3 prevent threats to the health and safety of students and
4 school personnel. "Non-curricular health and safety
5 requirement" does not include any course of study or
6 specialized instructional requirement for which the State
7 Board has established goals and learning standards or which is
8 designed primarily to impart knowledge and skills for students
9 to master and apply as an outcome of their education.

10 A charter school shall comply with all non-curricular
11 health and safety requirements applicable to public schools
12 under the laws of the State of Illinois. The State Board shall
13 promulgate and post on its Internet website a list of
14 non-curricular health and safety requirements that a charter
15 school must meet. The list shall be updated annually no later
16 than September 1. Any charter contract between a charter
17 school and its authorizer must contain a provision that
18 requires the charter school to follow the list of all
19 non-curricular health and safety requirements promulgated by
20 the State Board and any non-curricular health and safety
21 requirements added by the State Board to such list during the
22 term of the charter. Nothing in this subsection (d) precludes
23 an authorizer from including non-curricular health and safety
24 requirements in a charter school contract that are not
25 contained in the list promulgated by the State Board,
26 including non-curricular health and safety requirements of the

1 authorizing local school board.

2 (e) Except as otherwise provided in the School Code, a
3 charter school shall not charge tuition; provided that a
4 charter school may charge reasonable fees for textbooks,
5 instructional materials, and student activities.

6 (f) A charter school shall be responsible for the
7 management and operation of its fiscal affairs, including, but
8 not limited to, the preparation of its budget. An audit of each
9 charter school's finances shall be conducted annually by an
10 outside, independent contractor retained by the charter
11 school. The contractor shall not be an employee of the charter
12 school or affiliated with the charter school or its authorizer
13 in any way, other than to audit the charter school's finances.
14 To ensure financial accountability for the use of public
15 funds, on or before December 1 of every year of operation, each
16 charter school shall submit to its authorizer and the State
17 Board a copy of its audit and a copy of the Form 990 the
18 charter school filed that year with the federal Internal
19 Revenue Service. In addition, if deemed necessary for proper
20 financial oversight of the charter school, an authorizer may
21 require quarterly financial statements from each charter
22 school.

23 (g) A charter school shall comply with all provisions of
24 this Article, the Illinois Educational Labor Relations Act,
25 all federal and State laws and rules applicable to public
26 schools that pertain to special education and the instruction

1 of English learners, and its charter. A charter school is
2 exempt from all other State laws and regulations in this Code
3 governing public schools and local school board policies;
4 however, a charter school is not exempt from the following:

5 (1) Sections 10-21.9 and 34-18.5 of this Code
6 regarding criminal history records checks and checks of
7 the Statewide Sex Offender Database and Statewide Murderer
8 and Violent Offender Against Youth Database of applicants
9 for employment;

10 (2) Sections 10-20.14, 10-22.6, 22-100, 24-24, 34-19,
11 and 34-84a of this Code regarding discipline of students;

12 (3) the Local Governmental and Governmental Employees
13 Tort Immunity Act;

14 (4) Section 108.75 of the General Not For Profit
15 Corporation Act of 1986 regarding indemnification of
16 officers, directors, employees, and agents;

17 (5) the Abused and Neglected Child Reporting Act;

18 (5.5) subsection (b) of Section 10-23.12 and
19 subsection (b) of Section 34-18.6 of this Code;

20 (6) the Illinois School Student Records Act;

21 (7) Section 10-17a of this Code regarding school
22 report cards;

23 (8) the P-20 Longitudinal Education Data System Act;

24 (9) Section 22-110 of this Code regarding bullying
25 prevention;

26 (10) Section 2-3.162 of this Code regarding student

1 discipline reporting;

2 (11) Sections 22-80 and 22-105 of this Code;

3 (12) Sections 10-20.60 and 34-18.53 of this Code;

4 (13) Sections 10-20.63 and 34-18.56 of this Code;

5 (14) Sections 22-90 and 26-18 of this Code;

6 (15) Section 22-30 of this Code;

7 (16) Sections 24-12 and 34-85 of this Code;

8 (17) the Seizure Smart School Act;

9 (18) Section 2-3.64a-10 of this Code;

10 (19) Sections 10-20.73 and 34-21.9 of this Code;

11 (20) Section 10-22.25b of this Code;

12 (21) Section 27-1015 of this Code;

13 (22) Section 27-1010 of this Code;

14 (23) Section 34-18.8 of this Code;

15 (24) Article 26A of this Code;

16 (25) Section 2-3.188 of this Code;

17 (26) Section 22-85.5 of this Code;

18 (27) subsections (d-10), (d-15), and (d-20) of Section

19 10-20.56 of this Code;

20 (28) Sections 10-20.83 and 34-18.78 of this Code;

21 (29) Section 10-20.13 of this Code;

22 (30) (blank);

23 (31) Section 34-21.6 of this Code;

24 (32) Section 22-85.10 of this Code;

25 (33) Section 2-3.196 of this Code;

26 (34) Section 22-95 of this Code;

- 1 (35) Section 34-18.62 of this Code;
- 2 (36) the Illinois Human Rights Act;
- 3 (37) Section 2-3.204 of this Code; ~~and~~
- 4 (38) Section 22-106 ~~22-105~~ of this Code; and.
- 5 (39) the Food Reform to Ensure Student Health Act.

6 The change made by Public Act 96-104 to this subsection
7 (g) is declaratory of existing law.

8 (h) A charter school may negotiate and contract with a
9 school district, the governing body of a State college or
10 university or public community college, or any other public or
11 for-profit or nonprofit private entity for: (i) the use of a
12 school building and grounds or any other real property or
13 facilities that the charter school desires to use or convert
14 for use as a charter school site, (ii) the operation and
15 maintenance thereof, and (iii) the provision of any service,
16 activity, or undertaking that the charter school is required
17 to perform in order to carry out the terms of its charter.
18 Except as provided in subsection (i) of this Section, a school
19 district may charge a charter school reasonable rent for the
20 use of the district's buildings, grounds, and facilities. Any
21 services for which a charter school contracts with a school
22 district shall be provided by the district at cost. Any
23 services for which a charter school contracts with a local
24 school board or with the governing body of a State college or
25 university or public community college shall be provided by
26 the public entity at cost.

1 (i) In no event shall a charter school that is established
2 by converting an existing school or attendance center to
3 charter school status be required to pay rent for space that is
4 deemed available, as negotiated and provided in the charter
5 agreement, in school district facilities. However, all other
6 costs for the operation and maintenance of school district
7 facilities that are used by the charter school shall be
8 subject to negotiation between the charter school and the
9 local school board and shall be set forth in the charter.

10 (j) A charter school may limit student enrollment by age
11 or grade level.

12 (k) If the charter school is authorized by the State
13 Board, then the charter school is its own local education
14 agency.

15 (Source: P.A. 103-154, eff. 6-30-23; 103-175, eff. 6-30-23;
16 103-472, eff. 8-1-24; 103-605, eff. 7-1-24; 103-641, eff.
17 7-1-24; 103-806, eff. 1-1-25; 104-288, eff. 1-1-26; 104-391,
18 eff. 8-15-25; 104-417, eff. 8-15-25; revised 9-12-25.)".