



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3010

Introduced 2/19/2021, by Rep. Tim Ozinga

SYNOPSIS AS INTRODUCED:

105 ILCS 5/22-90 new
105 ILCS 25/1.25 new

Amends the School Code. Provides that neither the Governor nor the Department of Public Health has any authority to suspend public and nonpublic school participation in extracurricular activities and programs for any duration even if the Governor has declared a disaster due to a public health emergency. Provides that for the mental and physical health of students, school districts and nonpublic schools have the exclusive power and authority to allow students to continue to participate in extracurricular activities and programs even if the Governor has declared a disaster due to a public health emergency. Amends the Interscholastic Athletic Organization Act. Provides that neither the Governor nor the Department of Public Health has any authority to suspend public and nonpublic school participation in interscholastic athletics or athletic competition for any duration even if the Governor has declared a disaster due to a public health emergency. Provides that an association or other entity that has as one of its purposes promoting, sponsoring, regulating, or in any manner providing for interscholastic athletics or any form of athletic competition among schools and students within this State has the exclusive power and authority to set interscholastic athletic schedules even if the Governor has declared a disaster due to a public health emergency. Makes related changes. Effective immediately.

LRB102 12501 CMG 17838 b

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 School Code is amended by adding Section
5 22-90 as follows:

6 (105 ILCS 5/22-90 new)

7 Sec. 22-90. Extracurricular activities during public
8 health emergency. Notwithstanding any other law to the
9 contrary, neither the Governor nor the Department of Public
10 Health has any authority to suspend public and nonpublic
11 school participation in extracurricular activities and
12 programs for any duration. The provisions of this Section
13 apply even if the Governor has declared a disaster due to a
14 public health emergency pursuant to Section 7 of the Illinois
15 Emergency Management Agency Act. For the mental and physical
16 health of students, school districts and nonpublic schools
17 have the exclusive power and authority to allow students to
18 continue to participate in extracurricular activities and
19 programs even if the Governor has declared a disaster due to a
20 public health emergency pursuant to Section 7 of the Illinois
21 Emergency Management Agency Act. A school district or
22 nonpublic school may consult with the local health department
23 to determine if it is deemed safe to allow students to continue

1 to participate in extracurricular activities and programs
2 during a public health emergency.

3 Section 10. The Interscholastic Athletic Organization Act
4 is amended by adding Section 1.25 as follows:

5 (105 ILCS 25/1.25 new)

6 Sec. 1.25. Participation during public health emergency.
7 Notwithstanding any other law to the contrary, neither the
8 Governor nor the Department of Public Health has any authority
9 to suspend public and nonpublic school participation in
10 interscholastic athletics or athletic competition for any
11 duration. The provisions of this Section apply even if the
12 Governor has declared a disaster due to a public health
13 emergency pursuant to Section 7 of the Illinois Emergency
14 Management Agency Act. An association or other entity that has
15 as one of its purposes promoting, sponsoring, regulating, or
16 in any manner providing for interscholastic athletics or any
17 form of athletic competition among schools and students within
18 this State has the exclusive power and authority to set
19 interscholastic athletic schedules even if the Governor has
20 declared a disaster due to a public health emergency pursuant
21 to Section 7 of the Illinois Emergency Management Agency Act.
22 For the mental and physical health of student athletes, an
23 association or other entity that has as one of its purposes
24 promoting, sponsoring, regulating, or in any manner providing

1 for interscholastic athletics or any form of athletic
2 competition among schools and students within this State shall
3 allow interscholastic athletics and competition to continue
4 during a public health emergency so long as the association or
5 other entity consults with independent health experts in
6 setting interscholastic athletic schedules and in determining
7 if they should be allowed during a public health emergency.

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