



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB0135

Introduced 1/27/2011, by Sen. Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

110 ILCS 305/7	from Ch. 144, par. 28
110 ILCS 305/25	
110 ILCS 520/8	from Ch. 144, par. 658
110 ILCS 520/15	
110 ILCS 660/5-45	
110 ILCS 660/5-120	
110 ILCS 665/10-45	
110 ILCS 665/10-120	
110 ILCS 670/15-45	
110 ILCS 670/15-120	
110 ILCS 675/20-45	
110 ILCS 675/20-125	
110 ILCS 680/25-45	
110 ILCS 680/25-120	
110 ILCS 685/30-45	
110 ILCS 685/30-130	
110 ILCS 690/35-45	
110 ILCS 690/35-125	
110 ILCS 805/6-4	from Ch. 122, par. 106-4

Amends the Public Community College Act and various Acts relating to the governance of public universities in Illinois. Removes the power of the governing board of each public university and community college district to establish tuition rates and fees. Provides that for the 2011-2012 academic year and each academic year thereafter, the tuition and fee rates for students must be equal to the tuition and fee rates in effect for the 2010-2011 academic year or such lesser or greater amount as may be established by law by the General Assembly. Effective immediately.

LRB097 06217 NHT 46292 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 changing Sections 7 and 25 as follows:

6 (110 ILCS 305/7) (from Ch. 144, par. 28)

7 Sec. 7. Powers of trustees.

8 (a) The trustees shall have power to provide for the
9 requisite buildings, apparatus, and conveniences; ~~to fix the~~
10 ~~rates for tuition;~~ to appoint such professors and instructors,
11 and to establish and provide for the management of such model
12 farms, model art, and other departments and professorships, as
13 may be required to teach, in the most thorough manner, such
14 branches of learning as are related to agriculture and the
15 mechanic arts, and military tactics, without excluding other
16 scientific and classical studies. The trustees shall, upon the
17 written request of an employee withhold from the compensation
18 of that employee any dues, payments or contributions payable by
19 such employee to any labor organization as defined in the
20 Illinois Educational Labor Relations Act. Under such
21 arrangement, an amount shall be withheld from each regular
22 payroll period which is equal to the pro rata share of the
23 annual dues plus any payments or contributions, and the

1 trustees shall transmit such withholdings to the specified
2 labor organization within 10 working days from the time of the
3 withholding. They may accept the endowments and voluntary
4 professorships or departments in the University, from any
5 person or persons or corporations who may offer the same, and,
6 at any regular meeting of the board, may prescribe rules and
7 regulations in relation to such endowments and declare on what
8 general principles they may be admitted: Provided, that such
9 special voluntary endowments or professorships shall not be
10 incompatible with the true design and scope of the act of
11 congress, or of this Act: Provided, that no student shall at
12 any time be allowed to remain in or about the University in
13 idleness, or without full mental or industrial occupation: And
14 provided further, that the trustees, in the exercise of any of
15 the powers conferred by this Act, shall not create any
16 liability or indebtedness in excess of the funds in the hands
17 of the treasurer of the University at the time of creating such
18 liability or indebtedness, and which may be specially and
19 properly applied to the payment of the same. Any lease to the
20 trustees of lands, buildings or facilities which will support
21 scientific research and development in such areas as high
22 technology, super computing, microelectronics, biotechnology,
23 robotics, physics and engineering shall be for a term not to
24 exceed 18 years, and may grant to the trustees the option to
25 purchase the lands, buildings or facilities. The lease shall
26 recite that it is subject to termination and cancellation in

1 any year for which the General Assembly fails to make an
2 appropriation to pay the rent payable under the terms of the
3 lease.

4 Leases for the purposes described herein exceeding 5 years
5 shall have the approval of the Illinois Board of Higher
6 Education.

7 The Board of Trustees may, directly or in cooperation with
8 other institutions of higher education, acquire by purchase or
9 lease or otherwise, and construct, enlarge, improve, equip,
10 complete, operate, control and manage medical research and high
11 technology parks, together with the necessary lands,
12 buildings, facilities, equipment and personal property
13 therefor, to encourage and facilitate (a) the location and
14 development of business and industry in the State of Illinois,
15 and (b) the increased application and development of technology
16 and (c) the improvement and development of the State's economy.
17 The Board of Trustees may lease to nonprofit corporations all
18 or any part of the land, buildings, facilities, equipment or
19 other property included in a medical research and high
20 technology park upon such terms and conditions as the
21 University of Illinois may deem advisable and enter into any
22 contract or agreement with such nonprofit corporations as may
23 be necessary or suitable for the construction, financing,
24 operation and maintenance and management of any such park; and
25 may lease to any person, firm, partnership or corporation,
26 either public or private, any part or all of the land,

1 building, facilities, equipment or other property of such park
2 for such purposes and upon such rentals, terms and conditions
3 as the University may deem advisable; and may finance all or
4 part of the cost of any such park, including the purchase,
5 lease, construction, reconstruction, improvement, remodeling,
6 addition to, and extension and maintenance of all or part of
7 such high technology park, and all equipment and furnishings,
8 by legislative appropriations, government grants, contracts,
9 private gifts, loans, receipts from the operation of such high
10 technology park, rentals and similar receipts; and may make its
11 other facilities and services available to tenants or other
12 occupants of any such park at rates which are reasonable and
13 appropriate.

14 The Trustees shall have power (a) to purchase real property
15 and easements, and (b) to acquire real property and easements
16 in the manner provided by law for the exercise of the right of
17 eminent domain, and in the event negotiations for the
18 acquisition of real property or easements for making any
19 improvement which the Trustees are authorized to make shall
20 have proven unsuccessful and the Trustees shall have by
21 resolution adopted a schedule or plan of operation for the
22 execution of the project and therein made a finding that it is
23 necessary to take such property or easements immediately or at
24 some specified later date in order to comply with the schedule,
25 the Trustees may acquire such property or easements in the same
26 manner provided in Article 20 of the Eminent Domain Act

1 (quick-take procedure).

2 The Board of Trustees also shall have power to agree with
3 the State's Attorney of the county in which any properties of
4 the Board are located to pay for services rendered by the
5 various taxing districts for the years 1944 through 1949 and to
6 pay annually for services rendered thereafter by such district
7 such sums as may be determined by the Board upon properties
8 used solely for income producing purposes, title to which is
9 held by said Board of Trustees, upon properties leased to
10 members of the staff of the University of Illinois, title to
11 which is held in trust for said Board of Trustees and upon
12 properties leased to for-profit entities the title to which
13 properties is held by the Board of Trustees. A certified copy
14 of any such agreement made with the State's Attorney shall be
15 filed with the County Clerk and such sums shall be distributed
16 to the respective taxing districts by the County Collector in
17 such proportions that each taxing district will receive
18 therefrom such proportion as the tax rate of such taxing
19 district bears to the total tax rate that would be levied
20 against such properties if they were not exempt from taxation
21 under the Property Tax Code.

22 The Board of Trustees of the University of Illinois,
23 subject to the applicable civil service law, may appoint
24 persons to be members of the University of Illinois Police
25 Department. Members of the Police Department shall be peace
26 officers and as such have all powers possessed by policemen in

1 cities, and sheriffs, including the power to make arrests on
2 view or warrants of violations of state statutes and city or
3 county ordinances, except that they may exercise such powers
4 only in counties wherein the University and any of its branches
5 or properties are located when such is required for the
6 protection of university properties and interests, and its
7 students and personnel, and otherwise, within such counties,
8 when requested by appropriate state or local law enforcement
9 officials; provided, however, that such officer shall have no
10 power to serve and execute civil processes.

11 The Board of Trustees must authorize to each member of the
12 University of Illinois Police Department and to any other
13 employee of the University of Illinois exercising the powers of
14 a peace officer a distinct badge that, on its face, (i) clearly
15 states that the badge is authorized by the University of
16 Illinois and (ii) contains a unique identifying number. No
17 other badge shall be authorized by the University of Illinois.
18 Nothing in this paragraph prohibits the Board of Trustees from
19 issuing shields or other distinctive identification to
20 employees not exercising the powers of a peace officer if the
21 Board of Trustees determines that a shield or distinctive
22 identification is needed by the employee to carry out his or
23 her responsibilities.

24 The Board of Trustees may own, operate, or govern, by or
25 through the College of Medicine at Peoria, a managed care
26 community network established under subsection (b) of Section

1 5-11 of the Illinois Public Aid Code.

2 The powers of the trustees as herein designated are subject
3 to the provisions of "An Act creating a Board of Higher
4 Education, defining its powers and duties, making an
5 appropriation therefor, and repealing an Act herein named",
6 approved August 22, 1961, as amended.

7 The Board of Trustees shall have the authority to adopt all
8 administrative rules which may be necessary for the effective
9 administration, enforcement and regulation of all matters for
10 which the Board has jurisdiction or responsibility.

11 (b) To assist in the provision of buildings and facilities
12 beneficial to, useful for, or supportive of University
13 purposes, the Board of Trustees of the University of Illinois
14 may exercise the following powers with regard to the area
15 located on or adjacent to the University of Illinois at Chicago
16 campus and bounded as follows: on the West by Morgan Street; on
17 the North by Roosevelt Road; on the East by Union Street; and
18 on the South by 16th Street, in the City of Chicago:

19 (1) Acquire any interests in land, buildings, or
20 facilities by purchase, including installments payable
21 over a period allowed by law, by lease over a term of such
22 duration as the Board of Trustees shall determine, or by
23 exercise of the power of eminent domain;

24 (2) Sub-lease or contract to purchase through
25 installments all or any portion of buildings or facilities
26 for such duration and on such terms as the Board of

1 Trustees shall determine, including a term that exceeds 5
2 years, provided that each such lease or purchase contract
3 shall be and shall recite that it is subject to termination
4 and cancellation in any year for which the General Assembly
5 fails to make an appropriation to pay the rent or purchase
6 installments payable under the terms of such lease or
7 purchase contract; and

8 (3) Sell property without compliance with the State
9 Property Control Act and retain proceeds in the University
10 Treasury in a special, separate development fund account
11 which the Auditor General shall examine to assure
12 compliance with this Act.

13 Any buildings or facilities to be developed on the land shall
14 be buildings or facilities that, in the determination of the
15 Board of Trustees, in whole or in part: (i) are for use by the
16 University; or (ii) otherwise advance the interests of the
17 University, including, by way of example, residential
18 facilities for University staff and students and commercial
19 facilities which provide services needed by the University
20 community. Revenues from the development fund account may be
21 withdrawn by the University for the purpose of demolition and
22 the processes associated with demolition; routine land and
23 property acquisition; extension of utilities; streetscape
24 work; landscape work; surface and structure parking;
25 sidewalks, recreational paths, and street construction; and
26 lease and lease purchase arrangements and the professional

1 services associated with the planning and development of the
2 area. Moneys from the development fund account used for any
3 other purpose must be deposited into and appropriated from the
4 General Revenue Fund. Buildings or facilities leased to an
5 entity or person other than the University shall not be subject
6 to any limitations applicable to a State supported college or
7 university under any law. All development on the land and all
8 use of any buildings or facilities shall be subject to the
9 control and approval of the Board of Trustees.

10 (c) The Board of Trustees shall have the power to borrow
11 money, as necessary, from time to time in anticipation of
12 receiving tuition, payments from the State of Illinois, or
13 other revenues or receipts of the University, also known as
14 anticipated moneys. The borrowing limit shall be capped at 100%
15 of the total amount of payroll and other expense vouchers
16 submitted and payable to the University for fiscal year 2010
17 expenses, but unpaid by ~~at~~ the State Comptroller's office.
18 Prior to borrowing any funds, the University shall request from
19 the Comptroller's office a verification of the borrowing limit
20 and shall include the estimated date on which such borrowing
21 shall occur. The borrowing limit cap shall be verified by the
22 State Comptroller's office not prior to 45 days before any
23 estimated date for executing any promissory note or line of
24 credit established under this subsection (c). The principal
25 amount borrowed under a promissory note or line of credit shall
26 not exceed 75% of the borrowing limit. Within 15 days after

1 borrowing funds under any promissory note or line of credit
2 established under this subsection (c), the University shall
3 submit to the Governor's Office of Management and Budget, the
4 Speaker of the House of Representatives, the Minority Leader of
5 the House of Representatives, the President of the Senate, and
6 the Minority Leader of the Senate, an Emergency Short Term Cash
7 Management Plan. The Emergency Short Term Cash Management Plan
8 shall outline the amount borrowed, the terms for repayment, the
9 amount of outstanding State vouchers as verified by the State
10 Comptroller's office, and the University's plan for
11 expenditure of any borrowed funds, including, but not limited
12 to, a detailed plan to meet payroll obligations to include
13 collective bargaining employees, civil service employees, and
14 academic, research, and health care personnel. The
15 establishment of any promissory note or line of credit
16 established under this subsection (c) must be finalized within
17 90 days after the effective date of this amendatory Act of the
18 96th General Assembly. The borrowed moneys shall be applied to
19 the purposes of paying salaries and other expenses lawfully
20 authorized in the University's State appropriation and unpaid
21 by the State Comptroller. Any line of credit established under
22 this subsection (c) shall be paid in full one year after
23 creation or within 10 days after the date the University
24 receives reimbursement from the State for all submitted fiscal
25 year 2010 vouchers, whichever is earlier. Any promissory note
26 established under this subsection (c) shall be repaid within

1 one year after issuance of the note. The Chairman, Comptroller,
2 or Treasurer of the Board shall execute a promissory note or
3 similar debt instrument to evidence the indebtedness incurred
4 by the borrowing. In connection with a borrowing, the Board may
5 establish a line of credit with a financial institution,
6 investment bank, or broker/dealer. The obligation to make the
7 payments due under any promissory note or line of credit
8 established under this subsection (c) shall be a lawful
9 obligation of the University payable from the anticipated
10 moneys. Any borrowing under this subsection (c) shall not
11 constitute a debt, legal or moral, of the State and shall not
12 be enforceable against the State. The promissory note or line
13 of credit shall be authorized by a resolution passed by the
14 Board and shall be valid whether or not a budgeted item with
15 respect to that resolution is included in any annual or
16 supplemental budget adopted by the Board. The resolution shall
17 set forth facts demonstrating the need for the borrowing, state
18 an amount that the amount to be borrowed will not exceed, and
19 establish a maximum interest rate limit not to exceed the
20 maximum rate authorized by the Bond Authorization Act or 9%,
21 whichever is less. The resolution may direct the Comptroller or
22 Treasurer of the Board to make arrangements to set apart and
23 hold the portion of the anticipated moneys, as received, that
24 shall be used to repay the borrowing, subject to any prior
25 pledges or restrictions with respect to the anticipated moneys.
26 The resolution may also authorize the Treasurer of the Board to

1 make partial repayments of the borrowing as the anticipated
2 moneys become available and may contain any other terms,
3 restrictions, or limitations not inconsistent with the powers
4 of the Board.

5 For the purposes of this subsection (c), "financial
6 institution" means any bank subject to the Illinois Banking
7 Act, any savings and loan association subject to the Illinois
8 Savings and Loan Act of 1985, and any federally chartered
9 commercial bank or savings and loan association or
10 government-sponsored enterprise organized and operated in this
11 State pursuant to the laws of the United States.

12 (Source: P.A. 96-909, eff. 6-8-10; revised 6-15-10.)

13 (110 ILCS 305/25)

14 Sec. 25. Limitation on tuition and fee increase.

15 (a) This subsection (a) ~~Section~~ applies only to those
16 students who first enroll after the 2003-2004 academic year.
17 This subsection (a) does not apply beginning with the 2011-2012
18 academic year. For 4 continuous academic years following
19 initial enrollment (or for undergraduate programs that require
20 more than 4 years to complete, for the normal time to complete
21 the program, as determined by the University), the tuition
22 charged an undergraduate student who is an Illinois resident
23 shall not exceed the amount that the student was charged at the
24 time he or she first enrolled in the University. However, if
25 the student changes majors during this time period, the tuition

1 charged the student shall equal the amount the student would
2 have been charged had he or she been admitted to the changed
3 major when he or she first enrolled. An undergraduate student
4 who is an Illinois resident and who has for 4 continuous
5 academic years been charged no more than the tuition amount
6 that he or she was charged at the time he or she first enrolled
7 in the University shall be charged tuition not to exceed the
8 amount the University charged students who first enrolled in
9 the University for the academic year following the academic
10 year the student first enrolled in the University for a maximum
11 of 2 additional continuous academic years.

12 (b) Notwithstanding any other provision of law to the
13 contrary, for the 2011-2012 academic year and each academic
14 year thereafter, the tuition and fee rates for undergraduate
15 and graduate resident and non-resident students must be equal
16 to the tuition and fee rates in effect for the 2010-2011
17 academic year or such lesser or greater amount as may be
18 established by law by the General Assembly.

19 (Source: P.A. 96-1293, eff. 7-26-10.)

20 Section 10. The Southern Illinois University Management
21 Act is amended by changing Sections 8 and 15 as follows:

22 (110 ILCS 520/8) (from Ch. 144, par. 658)

23 Sec. 8. Powers and Duties of the Board. The Board shall
24 have power and it shall be its duty:

1 1. To make rules, regulations and by-laws, not
2 inconsistent with law, for the government and management of
3 Southern Illinois University and its branches.+

4 2. To employ, and, for good cause, to remove a
5 president of Southern Illinois University, and all
6 necessary deans, professors, associate professors,
7 assistant professors, instructors, and other educational
8 and administrative assistants, and all other necessary
9 employees, and contract with them upon matters relating to
10 tenure, salaries and retirement benefits in accordance
11 with the State Universities Civil Service Act; the Board
12 shall, upon the written request of an employee of Southern
13 Illinois University, withhold from the compensation of
14 that employee any dues, payments or contributions payable
15 by such employee to any labor organization as defined in
16 the Illinois Educational Labor Relations Act. Under such
17 arrangement, an amount shall be withheld from each regular
18 payroll period which is equal to the pro rata share of the
19 annual dues plus any payments or contributions, and the
20 Board shall transmit such withholdings to the specified
21 labor organization within 10 working days from the time of
22 the withholding. Whenever the Board establishes a search
23 committee to fill the position of president of Southern
24 Illinois University, there shall be minority
25 representation, including women, on that search
26 committee.+

1 3. To prescribe the course of study to be followed, and
2 textbooks and apparatus to be used at Southern Illinois
3 University.†

4 4. To issue upon the recommendation of the faculty,
5 diplomas to such persons as have satisfactorily completed
6 the required studies of Southern Illinois University, and
7 confer such professional and literary degrees as are
8 usually conferred by other institutions of like character
9 for similar or equivalent courses of study, or such as the
10 Board may deem appropriate.†

11 5. To examine into the conditions, management, and
12 administration of Southern Illinois University, to provide
13 the requisite buildings, apparatus, equipment and
14 auxiliary enterprises, and to ~~fix~~ and collect
15 matriculation fees; tuition fees; fees for student
16 activities; fees for student facilities such as student
17 union buildings or field houses or stadium or other
18 recreational facilities; student welfare fees; laboratory
19 fees and similar fees for supplies and material.†

20 6. To succeed to and to administer all trusts, trust
21 property, and gifts now or hereafter belonging or
22 pertaining to Southern Illinois University.†

23 7. To accept endowments of professorships or
24 departments in the University from any person who may
25 proffer them and, at regular meetings, to prescribe rules
26 and regulations in relation to endowments and declare on

1 what general principles they may be accepted.+

2 8. To enter into contracts with the Federal government
3 for providing courses of instruction and other services at
4 Southern Illinois University for persons serving in or with
5 the military or naval forces of the United States, and to
6 provide such courses of instruction and other services.+

7 9. To provide for the receipt and expenditures of
8 Federal funds, paid to the Southern Illinois University by
9 the Federal government for instruction and other services
10 for persons serving in or with the military or naval forces
11 of the United States and to provide for audits of such
12 funds.+

13 10. To appoint, subject to the applicable civil service
14 law, persons to be members of the Southern Illinois
15 University Police Department. Members of the Police
16 Department shall be conservators of the peace and as such
17 have all powers possessed by policemen in cities, and
18 sheriffs, including the power to make arrests on view or
19 warrants of violations of state statutes, university rules
20 and regulations and city or county ordinances, except that
21 they may exercise such powers only within counties wherein
22 the university and any of its branches or properties are
23 located when such is required for the protection of
24 university properties and interests, and its students and
25 personnel, and otherwise, within such counties, when
26 requested by appropriate State or local law enforcement

1 officials. However, such officers shall have no power to
2 serve and execute civil processes.

3 The Board must authorize to each member of the Southern
4 Illinois University Police Department and to any other
5 employee of Southern Illinois University exercising the
6 powers of a peace officer a distinct badge that, on its
7 face, (i) clearly states that the badge is authorized by
8 Southern Illinois University and (ii) contains a unique
9 identifying number. No other badge shall be authorized by
10 Southern Illinois University.

11 10.5. To conduct health care programs in furtherance of
12 its teaching, research, and public service functions,
13 which shall include without limitation patient and
14 ancillary facilities, institutes, clinics, or offices
15 owned, leased, or purchased through an equity interest by
16 the Board or its appointed designee to carry out such
17 activities in the course of or in support of the Board's
18 academic, clinical, and public service responsibilities.

19 11. To administer a plan or plans established by the
20 clinical faculty of the School of Medicine for the billing,
21 collection and disbursement of charges for services
22 performed in the course of or in support of the faculty's
23 academic responsibilities, provided that such plan has
24 been first approved by Board action. All such collections
25 shall be deposited into a special fund or funds
26 administered by the Board from which disbursements may be

1 made according to the provisions of said plan. The
2 reasonable costs incurred, by the University,
3 administering the billing, collection and disbursement
4 provisions of a plan shall have first priority for payment
5 before distribution or disbursement for any other purpose.
6 Audited financial statements of the plan or plans must be
7 provided to the Legislative Audit Commission annually.

8 The Board of Trustees may own, operate, or govern, by
9 or through the School of Medicine, a managed care community
10 network established under subsection (b) of Section 5-11 of
11 the Illinois Public Aid Code.

12 12. The Board of Trustees may, directly or in
13 cooperation with other institutions of higher education,
14 acquire by purchase or lease or otherwise, and construct,
15 enlarge, improve, equip, complete, operate, control and
16 manage medical research and high technology parks,
17 together with the necessary lands, buildings, facilities,
18 equipment, and personal property therefor, to encourage
19 and facilitate (a) the location and development of business
20 and industry in the State of Illinois, and (b) the
21 increased application and development of technology and
22 (c) the improvement and development of the State's economy.
23 The Board of Trustees may lease to nonprofit corporations
24 all or any part of the land, buildings, facilities,
25 equipment or other property included in a medical research
26 and high technology park upon such terms and conditions as

1 the Board of Trustees may deem advisable and enter into any
2 contract or agreement with such nonprofit corporations as
3 may be necessary or suitable for the construction,
4 financing, operation and maintenance and management of any
5 such park; and may lease to any person, firm, partnership
6 or corporation, either public or private, any part or all
7 of the land, building, facilities, equipment or other
8 property of such park for such purposes and upon such
9 rentals, terms and conditions as the Board of Trustees may
10 deem advisable; and may finance all or part of the cost of
11 any such park, including the purchase, lease,
12 construction, reconstruction, improvement, remodeling,
13 addition to, and extension and maintenance of all or part
14 of such high technology park, and all equipment and
15 furnishings, by legislative appropriations, government
16 grants, contracts, private gifts, loans, receipts from the
17 operation of such high technology park, rentals and similar
18 receipts; and may make its other facilities and services
19 available to tenants or other occupants of any such park at
20 rates which are reasonable and appropriate.

21 13. To borrow money, as necessary, from time to time in
22 anticipation of receiving tuition, payments from the State
23 of Illinois, or other revenues or receipts of the
24 University, also known as anticipated moneys. The
25 borrowing limit shall be capped at 100% of the total amount
26 of payroll and other expense vouchers submitted and payable

1 to the University for fiscal year 2010 expenses, but unpaid
2 by ~~at~~ the State Comptroller's office. Prior to borrowing
3 any funds, the University shall request from the
4 Comptroller's office a verification of the borrowing limit
5 and shall include the estimated date on which such
6 borrowing shall occur. The borrowing limit cap shall be
7 verified by the State Comptroller's office not prior to 45
8 days before any estimated date for executing any promissory
9 note or line of credit established under this item 13. The
10 principal amount borrowed under a promissory note or line
11 of credit shall not exceed 75% of the borrowing limit.
12 Within 15 days after borrowing funds under any promissory
13 note or line of credit established under this item 13, the
14 University shall submit to the Governor's Office of
15 Management and Budget, the Speaker of the House of
16 Representatives, the Minority Leader of the House of
17 Representatives, the President of the Senate, and the
18 Minority Leader of the Senate, an Emergency Short Term Cash
19 Management Plan. The Emergency Short Term Cash Management
20 Plan shall outline the amount borrowed, the terms for
21 repayment, the amount of outstanding State vouchers as
22 verified by the State Comptroller's office, and the
23 University's plan for expenditure of any borrowed funds,
24 including, but not limited to, a detailed plan to meet
25 payroll obligations to include collective bargaining
26 employees, civil service employees, and academic,

1 research, and health care personnel. The establishment of
2 any promissory note or line of credit established under
3 this item 13 must be finalized within 90 days after the
4 effective date of this amendatory Act of the 96th General
5 Assembly. The borrowed moneys shall be applied to the
6 purposes of paying salaries and other expenses lawfully
7 authorized in the University's State appropriation and
8 unpaid by the State Comptroller. Any line of credit
9 established under this item 13 shall be paid in full one
10 year after creation or within 10 days after the date the
11 University receives reimbursement from the State for all
12 submitted fiscal year 2010 vouchers, whichever is earlier.
13 Any promissory note established under this item 13 shall be
14 repaid within one year after issuance of the note. The
15 Chairman, Comptroller, or Treasurer of the Board shall
16 execute a promissory note or similar debt instrument to
17 evidence the indebtedness incurred by the borrowing. In
18 connection with a borrowing, the Board may establish a line
19 of credit with a financial institution, investment bank, or
20 broker/dealer. The obligation to make the payments due
21 under any promissory note or line of credit established
22 under this item 13 shall be a lawful obligation of the
23 University payable from the anticipated moneys. Any
24 borrowing under this item 13 shall not constitute a debt,
25 legal or moral, of the State and shall not be enforceable
26 against the State. The promissory note or line of credit

1 shall be authorized by a resolution passed by the Board and
2 shall be valid whether or not a budgeted item with respect
3 to that resolution is included in any annual or
4 supplemental budget adopted by the Board. The resolution
5 shall set forth facts demonstrating the need for the
6 borrowing, state an amount that the amount to be borrowed
7 will not exceed, and establish a maximum interest rate
8 limit not to exceed the maximum rate authorized by the Bond
9 Authorization Act or 9%, whichever is less. The resolution
10 may direct the Comptroller or Treasurer of the Board to
11 make arrangements to set apart and hold the portion of the
12 anticipated moneys, as received, that shall be used to
13 repay the borrowing, subject to any prior pledges or
14 restrictions with respect to the anticipated moneys. The
15 resolution may also authorize the Treasurer of the Board to
16 make partial repayments of the borrowing as the anticipated
17 moneys become available and may contain any other terms,
18 restrictions, or limitations not inconsistent with the
19 powers of the Board.

20 For the purposes of this item 13, "financial
21 institution" means any bank subject to the Illinois Banking
22 Act, any savings and loan association subject to the
23 Illinois Savings and Loan Act of 1985, and any federally
24 chartered commercial bank or savings and loan association
25 or government-sponsored enterprise organized and operated
26 in this State pursuant to the laws of the United States.

1 The powers of the Board as herein designated are subject to
2 the Board of Higher Education Act.

3 (Source: P.A. 95-158, eff. 8-14-07; 95-876, eff. 8-21-08;
4 96-909, eff. 6-8-10; revised 6-15-10.)

5 (110 ILCS 520/15)

6 Sec. 15. Limitation on tuition and fee increase.

7 (a) This subsection (a) ~~Section~~ applies only to those
8 students who first enroll after the 2003-2004 academic year.
9 This subsection (a) does not apply beginning with the 2011-2012
10 academic year. For 4 continuous academic years following
11 initial enrollment (or for undergraduate programs that require
12 more than 4 years to complete, for the normal time to complete
13 the program, as determined by the University), the tuition
14 charged an undergraduate student who is an Illinois resident
15 shall not exceed the amount that the student was charged at the
16 time he or she first enrolled in the University. However, if
17 the student changes majors during this time period, the tuition
18 charged the student shall equal the amount the student would
19 have been charged had he or she been admitted to the changed
20 major when he or she first enrolled. An undergraduate student
21 who is an Illinois resident and who has for 4 continuous
22 academic years been charged no more than the tuition amount
23 that he or she was charged at the time he or she first enrolled
24 in the University shall be charged tuition not to exceed the
25 amount the University charged students who first enrolled in

1 the University for the academic year following the academic
2 year the student first enrolled in the University for a maximum
3 of 2 additional continuous academic years.

4 (b) Notwithstanding any other provision of law to the
5 contrary, for the 2011-2012 academic year and each academic
6 year thereafter, the tuition and fee rates for undergraduate
7 and graduate resident and non-resident students must be equal
8 to the tuition and fee rates in effect for the 2010-2011
9 academic year or such lesser or greater amount as may be
10 established by law by the General Assembly.

11 (Source: P.A. 96-1293, eff. 7-26-10.)

12 Section 15. The Chicago State University Law is amended by
13 changing Sections 5-45 and 5-120 as follows:

14 (110 ILCS 660/5-45)

15 Sec. 5-45. Powers and duties. The Board also shall have
16 power and it shall be its duty:

17 (1) To make rules, regulations and bylaws, not inconsistent
18 with law, for the government and management of Chicago State
19 University and its branches;

20 (2) To employ, and, for good cause, to remove a President
21 of Chicago State University, and all necessary deans,
22 professors, associate professors, assistant professors,
23 instructors, other educational and administrative assistants,
24 and all other necessary employees, and to prescribe their

1 duties and contract with them upon matters relating to tenure,
2 salaries and retirement benefits in accordance with the State
3 Universities Civil Service Act. Whenever the Board establishes
4 a search committee to fill the position of President of Chicago
5 State University, there shall be minority representation,
6 including women, on that search committee. The Board shall,
7 upon the written request of an employee of Chicago State
8 University, withhold from the compensation of that employee any
9 dues, payments or contributions payable by such employee to any
10 labor organization as defined in the Illinois Educational Labor
11 Relations Act. Under such arrangement, an amount shall be
12 withheld from each regular payroll period which is equal to the
13 pro rata share of the annual dues plus any payments or
14 contributions, and the Board shall transmit such withholdings
15 to the specified labor organization within 10 working days from
16 the time of the withholding;

17 (3) To prescribe the courses of study to be followed, and
18 textbooks and apparatus to be used at Chicago State University;

19 (4) To issue upon the recommendation of the faculty,
20 diplomas to such persons as have satisfactorily completed the
21 required studies of Chicago State University, and confer such
22 professional and literary degrees as are usually conferred by
23 other institutions of like character for similar or equivalent
24 courses of study, or such as the Board may deem appropriate;

25 (5) To examine into the conditions, management, and
26 administration of Chicago State University, to provide the

1 requisite buildings, apparatus, equipment and auxiliary
2 enterprises, and to ~~fix and~~ collect matriculation fees; tuition
3 fees; fees for student activities; fees for student facilities
4 such as student union buildings or field houses or stadia or
5 other recreational facilities; student welfare fees;
6 laboratory fees; and similar fees for supplies and materials.
7 The expense of the building, improving, repairing and supplying
8 fuel and furniture and the necessary appliances and apparatus
9 for conducting Chicago State University, the reimbursed
10 expenses of members of the Board, and the salaries or
11 compensation of the President, assistants, agents and other
12 employees of Chicago State University, shall be a charge upon
13 the State Treasury. All other expenses shall be chargeable
14 against students, and the Board shall regulate the charges
15 accordingly;

16 (6) To succeed to and to administer all trusts, trust
17 property, and gifts now or hereafter belonging or pertaining to
18 Chicago State University;

19 (7) To accept endowments of professorships or departments
20 in Chicago State University from any person who may proffer
21 them and, at regular meetings, to prescribe rules and
22 regulations in relation to endowments and declare on what
23 general principles they may be accepted;

24 (8) To enter into contracts with the Federal government for
25 providing courses of instruction and other services at Chicago
26 State University for persons serving in or with the military or

1 naval forces of the United States, and to provide such courses
2 of instruction and other services;

3 (9) To contract with respect to the Cooperative Computer
4 Center to obtain services related to electronic data
5 processing;

6 (10) To provide for the receipt and expenditures of Federal
7 funds paid to Chicago State University by the Federal
8 government for instruction and other services for persons
9 serving in or with the military or naval forces of the United
10 States, and to provide for audits of such funds;

11 (11) To appoint, subject to the applicable civil service
12 law, persons to be members of the Chicago State University
13 Police Department. Members of the Police Department shall be
14 conservators of the peace and as such have all powers possessed
15 by policemen in cities, and sheriffs, including the power to
16 make arrests on view or warrants of violations of State
17 statutes, University rules and regulations and city or county
18 ordinances, except that they may exercise such powers only
19 within counties wherein Chicago State University and any of its
20 branches or properties are located when such is required for
21 the protection of University properties and interests, and its
22 students and personnel, and otherwise, within such counties,
23 when requested by appropriate State or local law enforcement
24 officials. However, such officers shall have no power to serve
25 and execute civil processes.

26 The Board must authorize to each member of the Chicago

1 State University Police Department and to any other employee of
2 Chicago State University exercising the powers of a peace
3 officer a distinct badge that, on its face, (i) clearly states
4 that the badge is authorized by Chicago State University and
5 (ii) contains a unique identifying number on its face. No other
6 badge shall be authorized by Chicago State University;

7 (12) The Board may, directly or in cooperation with other
8 institutions of higher education, acquire by purchase or lease
9 or otherwise, and construct, enlarge, improve, equip,
10 complete, operate, control and manage research and high
11 technology parks, together with the necessary lands,
12 buildings, facilities, equipment, and personal property
13 therefor, to encourage and facilitate (i) the location and
14 development of business and industry in the State of Illinois,
15 and (ii) the increased application and development of
16 technology, and (iii) the improvement and development of the
17 State's economy. The Board may lease to nonprofit corporations
18 all or any part of the land, buildings, facilities, equipment
19 or other property included in a research and high technology
20 park upon such terms and conditions as the Board may deem
21 advisable and enter into any contract or agreement with such
22 nonprofit corporations as may be necessary or suitable for the
23 construction, financing, operation and maintenance and
24 management of any such park; and may lease to any person, firm,
25 partnership or corporation, either public or private, any part
26 or all of the land, building, facilities, equipment or other

1 property of such park for such purposes and upon such rentals,
2 terms and conditions as the Board may deem advisable; and may
3 finance all or part of the cost of any such park, including the
4 purchase, lease, construction, reconstruction, improvement,
5 remodeling, addition to, and extension and maintenance of all
6 or part of such high technology park, and all equipment and
7 furnishings, by legislative appropriations, government grants,
8 contracts, private gifts, loans, receipts from the operation of
9 such high technology park, rentals and similar receipts; and
10 may make its other facilities and services available to tenants
11 or other occupants of any such park at rates which are
12 reasonable and appropriate;

13 (13) To borrow money, as necessary, from time to time in
14 anticipation of receiving tuition, payments from the State of
15 Illinois, or other revenues or receipts of the University, also
16 known as anticipated moneys. The borrowing limit shall be
17 capped at 100% of the total amount of payroll and other expense
18 vouchers submitted and payable to the University for fiscal
19 year 2010 expenses, but unpaid by ~~at~~ the State Comptroller's
20 office. Prior to borrowing any funds, the University shall
21 request from the Comptroller's office a verification of the
22 borrowing limit and shall include the estimated date on which
23 such borrowing shall occur. The borrowing limit cap shall be
24 verified by the State Comptroller's office not prior to 45 days
25 before any estimated date for executing any promissory note or
26 line of credit established under this item (13). The principal

1 amount borrowed under a promissory note or line of credit shall
2 not exceed 75% of the borrowing limit. Within 15 days after
3 borrowing funds under any promissory note or line of credit
4 established under this item (13), the University shall submit
5 to the Governor's Office of Management and Budget, the Speaker
6 of the House of Representatives, the Minority Leader of the
7 House of Representatives, the President of the Senate, and the
8 Minority Leader of the Senate, ~~an~~ Emergency Short Term Cash
9 Management Plan. The Emergency Short Term Cash Management Plan
10 shall outline the amount borrowed, the terms for repayment, the
11 amount of outstanding State vouchers as verified by the State
12 Comptroller's office, and the University's plan for
13 expenditure of any borrowed funds, including, but not limited
14 to, a detailed plan to meet payroll obligations to include
15 collective bargaining employees, civil service employees, and
16 academic, research, and health care personnel. The
17 establishment of any promissory note or line of credit
18 established under this item (13) must be finalized within 90
19 days after the effective date of this amendatory Act of the
20 96th General Assembly. The borrowed moneys shall be applied to
21 the purposes of paying salaries and other expenses lawfully
22 authorized in the University's State appropriation and unpaid
23 by the State Comptroller. Any line of credit established under
24 this item (13) shall be paid in full one year after creation or
25 within 10 days after the date the University receives
26 reimbursement from the State for all submitted fiscal year 2010

1 vouchers, whichever is earlier. Any promissory note
2 established under this item (13) shall be repaid within one
3 year after issuance of the note. The Chairman, Comptroller, or
4 Treasurer of the Board shall execute a promissory note or
5 similar debt instrument to evidence the indebtedness incurred
6 by the borrowing. In connection with a borrowing, the Board may
7 establish a line of credit with a financial institution,
8 investment bank, or broker/dealer. The obligation to make the
9 payments due under any promissory note or line of credit
10 established under this item (13) shall be a lawful obligation
11 of the University payable from the anticipated moneys. Any
12 borrowing under this item (13) shall not constitute a debt,
13 legal or moral, of the State and shall not be enforceable
14 against the State. The promissory note or line of credit shall
15 be authorized by a resolution passed by the Board and shall be
16 valid whether or not a budgeted item with respect to that
17 resolution is included in any annual or supplemental budget
18 adopted by the Board. The resolution shall set forth facts
19 demonstrating the need for the borrowing, state an amount that
20 the amount to be borrowed will not exceed, and establish a
21 maximum interest rate limit not to exceed the maximum rate
22 authorized by the Bond Authorization Act or 9%, whichever is
23 less. The resolution may direct the Comptroller or Treasurer of
24 the Board to make arrangements to set apart and hold the
25 portion of the anticipated moneys, as received, that shall be
26 used to repay the borrowing, subject to any prior pledges or

1 restrictions with respect to the anticipated moneys. The
2 resolution may also authorize the Treasurer of the Board to
3 make partial repayments of the borrowing as the anticipated
4 moneys become available and may contain any other terms,
5 restrictions, or limitations not inconsistent with the powers
6 of the Board.

7 For the purposes of this item (13), "financial institution"
8 means any bank subject to the Illinois Banking Act, any savings
9 and loan association subject to the Illinois Savings and Loan
10 Act of 1985, and any federally chartered commercial bank or
11 savings and loan association or government-sponsored
12 enterprise organized and operated in this State pursuant to the
13 laws of the United States.

14 (Source: P.A. 96-909, eff. 6-8-10; revised 6-15-10.)

15 (110 ILCS 660/5-120)

16 Sec. 5-120. Limitation on tuition and fee increase.

17 (a) This subsection (a) ~~Section~~ applies only to those
18 students who first enroll after the 2003-2004 academic year.
19 This subsection (a) does not apply beginning with the 2011-2012
20 academic year. For 4 continuous academic years following
21 initial enrollment (or for undergraduate programs that require
22 more than 4 years to complete, for the normal time to complete
23 the program, as determined by the University), the tuition
24 charged an undergraduate student who is an Illinois resident
25 shall not exceed the amount that the student was charged at the

1 time he or she first enrolled in the University. However, if
2 the student changes majors during this time period, the tuition
3 charged the student shall equal the amount the student would
4 have been charged had he or she been admitted to the changed
5 major when he or she first enrolled. An undergraduate student
6 who is an Illinois resident and who has for 4 continuous
7 academic years been charged no more than the tuition amount
8 that he or she was charged at the time he or she first enrolled
9 in the University shall be charged tuition not to exceed the
10 amount the University charged students who first enrolled in
11 the University for the academic year following the academic
12 year the student first enrolled in the University for a maximum
13 of 2 additional continuous academic years.

14 (b) Notwithstanding any other provision of law to the
15 contrary, for the 2011-2012 academic year and each academic
16 year thereafter, the tuition and fee rates for undergraduate
17 and graduate resident and non-resident students must be equal
18 to the tuition and fee rates in effect for the 2010-2011
19 academic year or such lesser or greater amount as may be
20 established by law by the General Assembly.

21 (Source: P.A. 96-1293, eff. 7-26-10.)

22 Section 20. The Eastern Illinois University Law is amended
23 by changing Sections 10-45 and 10-120 as follows:

24 (110 ILCS 665/10-45)

1 Sec. 10-45. Powers and duties.

2 (a) The Board also shall have power and it shall be its
3 duty:

4 (1) To make rules, regulations and bylaws, not
5 inconsistent with law, for the government and management of
6 Eastern Illinois University and its branches.

7 (2) To employ, and, for good cause, to remove a
8 President of Eastern Illinois University, and all
9 necessary deans, professors, associate professors,
10 assistant professors, instructors, other educational and
11 administrative assistants, and all other necessary
12 employees, and to prescribe their duties and contract with
13 them upon matters relating to tenure, salaries and
14 retirement benefits in accordance with the State
15 Universities Civil Service Act. Whenever the Board
16 establishes a search committee to fill the position of
17 President of Eastern Illinois University, there shall be
18 minority representation, including women, on that search
19 committee. The Board shall, upon the written request of an
20 employee of Eastern Illinois University, withhold from the
21 compensation of that employee any dues, payments or
22 contributions payable by such employee to any labor
23 organization as defined in the Illinois Educational Labor
24 Relations Act. Under such arrangement, an amount shall be
25 withheld from each regular payroll period which is equal to
26 the pro rata share of the annual dues plus any payments or

1 contributions, and the Board shall transmit such
2 withholdings to the specified labor organization within 10
3 working days from the time of the withholding.

4 (3) To prescribe the courses of study to be followed,
5 and textbooks and apparatus to be used at Eastern Illinois
6 University.

7 (4) To issue upon the recommendation of the faculty,
8 diplomas to such persons as have satisfactorily completed
9 the required studies of Eastern Illinois University, and
10 confer such professional and literary degrees as are
11 usually conferred by other institutions of like character
12 for similar or equivalent courses of study, or such as the
13 Board may deem appropriate.

14 (5) To examine into the conditions, management, and
15 administration of Eastern Illinois University, to provide
16 the requisite buildings, apparatus, equipment and
17 auxiliary enterprises, and to ~~fix~~ and collect
18 matriculation fees; tuition fees; fees for student
19 activities; fees for student facilities such as student
20 union buildings or field houses or stadia or other
21 recreational facilities; student welfare fees; laboratory
22 fees; and similar fees for supplies and materials. The
23 expense of the building, improving, repairing and
24 supplying fuel and furniture and the necessary appliances
25 and apparatus for conducting Eastern Illinois University,
26 the reimbursed expenses of members of the Board, and the

1 salaries or compensation of the President, assistants,
2 agents and other employees of Eastern Illinois University,
3 shall be a charge upon the State Treasury. All other
4 expenses shall be chargeable against students, and the
5 Board shall regulate the charges accordingly.

6 (6) To succeed to and to administer all trusts, trust
7 property, and gifts now or hereafter belonging or
8 pertaining to Eastern Illinois University.

9 (7) To accept endowments of professorships or
10 departments in Eastern Illinois University from any person
11 who may proffer them and, at regular meetings, to prescribe
12 rules and regulations in relation to endowments and declare
13 on what general principles they may be accepted.

14 (8) To enter into contracts with the Federal government
15 for providing courses of instruction and other services at
16 Eastern Illinois University for persons serving in or with
17 the military or naval forces of the United States, and to
18 provide such courses of instruction and other services.

19 (9) To contract with respect to the Cooperative
20 Computer Center to obtain services related to electronic
21 data processing.

22 (10) To provide for the receipt and expenditures of
23 Federal funds paid to Eastern Illinois University by the
24 Federal government for instruction and other services for
25 persons serving in or with the military or naval forces of
26 the United States, and to provide for audits of such funds.

1 (11) To appoint, subject to the applicable civil
2 service law, persons to be members of the Eastern Illinois
3 University Police Department. Members of the Police
4 Department shall be conservators of the peace and as such
5 have all powers possessed by policemen in cities, and
6 sheriffs, including the power to make arrests on view or
7 warrants of violations of State statutes, University rules
8 and regulations and city or county ordinances, except that
9 they may exercise such powers only within counties wherein
10 Eastern Illinois University and any of its branches or
11 properties are located when such is required for the
12 protection of University properties and interests, and its
13 students and personnel, and otherwise, within such
14 counties, when requested by appropriate State or local law
15 enforcement officials. However, such officers shall have
16 no power to serve and execute civil processes.

17 The Board must authorize to each member of the Eastern
18 Illinois University Police Department and to any other
19 employee of Eastern Illinois University exercising the
20 powers of a peace officer a distinct badge that, on its
21 face, (i) clearly states that the badge is authorized by
22 Eastern Illinois University and (ii) contains a unique
23 identifying number. No other badge shall be authorized by
24 Eastern Illinois University.

25 (12) To borrow money, as necessary, from time to time
26 in anticipation of receiving tuition, payments from the

1 State of Illinois, or other revenues or receipts of the
2 University, also known as anticipated moneys. The
3 borrowing limit shall be capped at 100% of the total amount
4 of payroll and other expense vouchers submitted and payable
5 to the University for fiscal year 2010 expenses, but unpaid
6 by ~~at~~ the State Comptroller's office. Prior to borrowing
7 any funds, the University shall request from the
8 Comptroller's office a verification of the borrowing limit
9 and shall include the estimated date on which such
10 borrowing shall occur. The borrowing limit cap shall be
11 verified by the State Comptroller's office not prior to 45
12 days before any estimated date for executing any promissory
13 note or line of credit established under this item (12).
14 The principal amount borrowed under a promissory note or
15 line of credit shall not exceed 75% of the borrowing limit.
16 Within 15 days after borrowing funds under any promissory
17 note or line of credit established under this item (12),
18 the University shall submit to the Governor's Office of
19 Management and Budget, the Speaker of the House of
20 Representatives, the Minority Leader of the House of
21 Representatives, the President of the Senate, and the
22 Minority Leader of the Senate, an Emergency Short Term Cash
23 Management Plan. The Emergency Short Term Cash Management
24 Plan shall outline the amount borrowed, the terms for
25 repayment, the amount of outstanding State vouchers as
26 verified by the State Comptroller's office, and the

1 University's plan for expenditure of any borrowed funds,
2 including, but not limited to, a detailed plan to meet
3 payroll obligations to include collective bargaining
4 employees, civil service employees, and academic,
5 research, and health care personnel. The establishment of
6 any promissory note or line of credit established under
7 this item (12) must be finalized within 90 days after the
8 effective date of this amendatory Act of the 96th General
9 Assembly. The borrowed moneys shall be applied to the
10 purposes of paying salaries and other expenses lawfully
11 authorized in the University's State appropriation and
12 unpaid by the State Comptroller. Any line of credit
13 established under this item (12) shall be paid in full one
14 year after creation or within 10 days after the date the
15 University receives reimbursement from the State for all
16 submitted fiscal year 2010 vouchers, whichever is earlier.
17 Any promissory note established under this item (12) shall
18 be repaid within one year after issuance of the note. The
19 Chairman, Comptroller, or Treasurer of the Board shall
20 execute a promissory note or similar debt instrument to
21 evidence the indebtedness incurred by the borrowing. In
22 connection with a borrowing, the Board may establish a line
23 of credit with a financial institution, investment bank, or
24 broker/dealer. The obligation to make the payments due
25 under any promissory note or line of credit established
26 under this item (12) shall be a lawful obligation of the

1 University payable from the anticipated moneys. Any
2 borrowing under this item (12) shall not constitute a debt,
3 legal or moral, of the State and shall not be enforceable
4 against the State. The promissory note or line of credit
5 shall be authorized by a resolution passed by the Board and
6 shall be valid whether or not a budgeted item with respect
7 to that resolution is included in any annual or
8 supplemental budget adopted by the Board. The resolution
9 shall set forth facts demonstrating the need for the
10 borrowing, state an amount that the amount to be borrowed
11 will not exceed, and establish a maximum interest rate
12 limit not to exceed the maximum rate authorized by the Bond
13 Authorization Act or 9%, whichever is less. The resolution
14 may direct the Comptroller or Treasurer of the Board to
15 make arrangements to set apart and hold the portion of the
16 anticipated moneys, as received, that shall be used to
17 repay the borrowing, subject to any prior pledges or
18 restrictions with respect to the anticipated moneys. The
19 resolution may also authorize the Treasurer of the Board to
20 make partial repayments of the borrowing as the anticipated
21 moneys become available and may contain any other terms,
22 restrictions, or limitations not inconsistent with the
23 powers of the Board.

24 For the purposes of this item (12), "financial
25 institution" means any bank subject to the Illinois Banking
26 Act, any savings and loan association subject to the

1 Illinois Savings and Loan Act of 1985, and any federally
2 chartered commercial bank or savings and loan association
3 or government-sponsored enterprise organized and operated
4 in this State pursuant to the laws of the United States.

5 (b) The Board may, directly or in cooperation with other
6 institutions of higher education, acquire by purchase or lease
7 or otherwise, and construct, enlarge, improve, equip,
8 complete, operate, control and manage research and high
9 technology parks, together with the necessary lands,
10 buildings, facilities, equipment, and personal property
11 therefor, to encourage and facilitate (i) the location and
12 development of business and industry in the State of Illinois,
13 and (ii) the increased application and development of
14 technology, and (iii) the improvement and development of the
15 State's economy. The Board may lease to nonprofit corporations
16 all or any part of the land, buildings, facilities, equipment
17 or other property included in a research and high technology
18 park upon such terms and conditions as the Board may deem
19 advisable and enter into any contract or agreement with such
20 nonprofit corporations as may be necessary or suitable for the
21 construction, financing, operation and maintenance and
22 management of any such park; and may lease to any person, firm,
23 partnership or corporation, either public or private, any part
24 or all of the land, building, facilities, equipment or other
25 property of such park for such purposes and upon such rentals,
26 terms and conditions as the Board may deem advisable; and may

1 finance all or part of the cost of any such park, including the
2 purchase, lease, construction, reconstruction, improvement,
3 remodeling, addition to, and extension and maintenance of all
4 or part of such high technology park, and all equipment and
5 furnishings, by legislative appropriations, government grants,
6 contracts, private gifts, loans, receipts from the operation of
7 such high technology park, rentals and similar receipts; and
8 may make its other facilities and services available to tenants
9 or other occupants of any such park at rates which are
10 reasonable and appropriate.

11 (c) The Board may sell the following described property
12 without compliance with the State Property Control Act and
13 retain the proceeds in the University treasury in a special,
14 separate development fund account that the Auditor General
15 shall examine to assure compliance with this Law:

16 Lots 511 and 512 in Heritage Woods V, Charleston, Coles
17 County, Illinois.

18 Revenues from the development fund account may be withdrawn by
19 the University for the purpose of upgrading the on-campus
20 formal reception facility. Moneys from the development fund
21 account used for any other purpose must be deposited into and
22 appropriated from the General Revenue Fund.

23 (Source: P.A. 96-909, eff. 6-8-10; revised 6-15-10.)

24 (110 ILCS 665/10-120)

25 Sec. 10-120. Limitation on tuition and fee increase.

1 (a) This subsection (a) ~~Section~~ applies only to those
2 students who first enroll after the 2003-2004 academic year.
3 This subsection (a) does not apply beginning with the 2011-2012
4 academic year. For 4 continuous academic years following
5 initial enrollment (or for undergraduate programs that require
6 more than 4 years to complete, for the normal time to complete
7 the program, as determined by the University), the tuition
8 charged an undergraduate student who is an Illinois resident
9 shall not exceed the amount that the student was charged at the
10 time he or she first enrolled in the University. However, if
11 the student changes majors during this time period, the tuition
12 charged the student shall equal the amount the student would
13 have been charged had he or she been admitted to the changed
14 major when he or she first enrolled. An undergraduate student
15 who is an Illinois resident and who has for 4 continuous
16 academic years been charged no more than the tuition amount
17 that he or she was charged at the time he or she first enrolled
18 in the University shall be charged tuition not to exceed the
19 amount the University charged students who first enrolled in
20 the University for the academic year following the academic
21 year the student first enrolled in the University for a maximum
22 of 2 additional continuous academic years.

23 (b) Notwithstanding any other provision of law to the
24 contrary, for the 2011-2012 academic year and each academic
25 year thereafter, the tuition and fee rates for undergraduate
26 and graduate resident and non-resident students must be equal

1 to the tuition and fee rates in effect for the 2010-2011
2 academic year or such lesser or greater amount as may be
3 established by law by the General Assembly.

4 (Source: P.A. 96-1293, eff. 7-26-10.)

5 Section 25. The Governors State University Law is amended
6 by changing Sections 15-45 and 15-120 as follows:

7 (110 ILCS 670/15-45)

8 Sec. 15-45. Powers and duties. The Board also shall have
9 power and it shall be its duty:

10 (1) To make rules, regulations and bylaws, not inconsistent
11 with law, for the government and management of Governors State
12 University and its branches;

13 (2) To employ, and, for good cause, to remove a President
14 of Governors State University, and all necessary deans,
15 professors, associate professors, assistant professors,
16 instructors, other educational and administrative assistants,
17 and all other necessary employees, and to prescribe their
18 duties and contract with them upon matters relating to tenure,
19 salaries and retirement benefits in accordance with the State
20 Universities Civil Service Act. Whenever the Board establishes
21 a search committee to fill the position of President of
22 Governors State University, there shall be minority
23 representation, including women, on that search committee. The
24 Board shall, upon the written request of an employee of

1 Governors State University, withhold from the compensation of
2 that employee any dues, payments or contributions payable by
3 such employee to any labor organization as defined in the
4 Illinois Educational Labor Relations Act. Under such
5 arrangement, an amount shall be withheld from each regular
6 payroll period which is equal to the pro rata share of the
7 annual dues plus any payments or contributions, and the Board
8 shall transmit such withholdings to the specified labor
9 organization within 10 working days from the time of the
10 withholding;

11 (3) To prescribe the courses of study to be followed, and
12 textbooks and apparatus to be used at Governors State
13 University;

14 (4) To issue upon the recommendation of the faculty,
15 diplomas to such persons as have satisfactorily completed the
16 required studies of Governors State University, and confer such
17 professional and literary degrees as are usually conferred by
18 other institutions of like character for similar or equivalent
19 courses of study, or such as the Board may deem appropriate;

20 (5) To examine into the conditions, management, and
21 administration of Governors State University, to provide the
22 requisite buildings, apparatus, equipment and auxiliary
23 enterprises, and to ~~fix and~~ collect matriculation fees; tuition
24 fees; fees for student activities; fees for student facilities
25 such as student union buildings or field houses or stadia or
26 other recreational facilities; student welfare fees;

1 laboratory fees; and similar fees for supplies and materials.
2 The expense of the building, improving, repairing and supplying
3 fuel and furniture and the necessary appliances and apparatus
4 for conducting Governors State University, the reimbursed
5 expenses of members of the Board, and the salaries or
6 compensation of the President, assistants, agents and other
7 employees of Governors State University, shall be a charge upon
8 the State Treasury. All other expenses shall be chargeable
9 against students, and the Board shall regulate the charges
10 accordingly;

11 (6) To succeed to and to administer all trusts, trust
12 property, and gifts now or hereafter belonging or pertaining to
13 Governors State University;

14 (7) To accept endowments of professorships or departments
15 in Governors State University from any person who may proffer
16 them and, at regular meetings, to prescribe rules and
17 regulations in relation to endowments and declare on what
18 general principles they may be accepted;

19 (8) To enter into contracts with the Federal government for
20 providing courses of instruction and other services at
21 Governors State University for persons serving in or with the
22 military or naval forces of the United States, and to provide
23 such courses of instruction and other services;

24 (9) To operate, maintain, and contract with respect to the
25 Cooperative Computer Center for its own purposes and to provide
26 services related to electronic data processing to other public

1 and private colleges and universities, to governmental
2 agencies, and to public or private not-for-profit agencies; and
3 to examine the conditions, management, and administration of
4 the Cooperative Computer Center;

5 (10) To provide for the receipt and expenditures of Federal
6 funds paid to Governors State University by the Federal
7 government for instruction and other services for persons
8 serving in or with the military or naval forces of the United
9 States, and to provide for audits of such funds;

10 (11) To appoint, subject to the applicable civil service
11 law, persons to be members of the Governors State University
12 Police Department. Members of the Police Department shall be
13 conservators of the peace and as such have all powers possessed
14 by policemen in cities, and sheriffs, including the power to
15 make arrests on view or warrants of violations of State
16 statutes, University rules and regulations and city or county
17 ordinances, except that they may exercise such powers only
18 within counties wherein Governors State University and any of
19 its branches or properties are located when such is required
20 for the protection of University properties and interests, and
21 its students and personnel, and otherwise, within such
22 counties, when requested by appropriate State or local law
23 enforcement officials. However, such officers shall have no
24 power to serve and execute civil processes.

25 The Board must authorize to each member of the Governors
26 State University Police Department and to any other employee of

1 Governors State University exercising the powers of a peace
2 officer a distinct badge that, on its face, (i) clearly states
3 that the badge is authorized by Governors State University and
4 (ii) contains a unique identifying number. No other badge shall
5 be authorized by Governors State University;

6 (12) The Board may, directly or in cooperation with other
7 institutions of higher education, acquire by purchase or lease
8 or otherwise, and construct, enlarge, improve, equip,
9 complete, operate, control and manage research and high
10 technology parks, together with the necessary lands,
11 buildings, facilities, equipment, and personal property
12 therefor, to encourage and facilitate (i) the location and
13 development of business and industry in the State of Illinois,
14 and (ii) the increased application and development of
15 technology, and (iii) the improvement and development of the
16 State's economy. The Board may lease to nonprofit corporations
17 all or any part of the land, buildings, facilities, equipment
18 or other property included in a research and high technology
19 park upon such terms and conditions as the Board may deem
20 advisable and enter into any contract or agreement with such
21 nonprofit corporations as may be necessary or suitable for the
22 construction, financing, operation and maintenance and
23 management of any such park; and may lease to any person, firm,
24 partnership or corporation, either public or private, any part
25 or all of the land, building, facilities, equipment or other
26 property of such park for such purposes and upon such rentals,

1 terms and conditions as the Board may deem advisable; and may
2 finance all or part of the cost of any such park, including the
3 purchase, lease, construction, reconstruction, improvement,
4 remodeling, addition to, and extension and maintenance of all
5 or part of such high technology park, and all equipment and
6 furnishings, by legislative appropriations, government grants,
7 contracts, private gifts, loans, receipts from the operation of
8 such high technology park, rentals and similar receipts; and
9 may make its other facilities and services available to tenants
10 or other occupants of any such park at rates which are
11 reasonable and appropriate;

12 (13) To borrow money, as necessary, from time to time in
13 anticipation of receiving tuition, payments from the State of
14 Illinois, or other revenues or receipts of the University, also
15 known as anticipated moneys. The borrowing limit shall be
16 capped at 100% of the total amount of payroll and other expense
17 vouchers submitted and payable to the University for fiscal
18 year 2010 expenses, but unpaid by ~~at~~ the State Comptroller's
19 office. Prior to borrowing any funds, the University shall
20 request from the Comptroller's office a verification of the
21 borrowing limit and shall include the estimated date on which
22 such borrowing shall occur. The borrowing limit cap shall be
23 verified by the State Comptroller's office not prior to 45 days
24 before any estimated date for executing any promissory note or
25 line of credit established under this item (13). The principal
26 amount borrowed under a promissory note or line of credit shall

1 not exceed 75% of the borrowing limit. Within 15 days after
2 borrowing funds under any promissory note or line of credit
3 established under this item (13), the University shall submit
4 to the Governor's Office of Management and Budget, the Speaker
5 of the House of Representatives, the Minority Leader of the
6 House of Representatives, the President of the Senate, and the
7 Minority Leader of the Senate, an Emergency Short Term Cash
8 Management Plan. The Emergency Short Term Cash Management Plan
9 shall outline the amount borrowed, the terms for repayment, the
10 amount of outstanding State vouchers as verified by the State
11 Comptroller's office, and the University's plan for
12 expenditure of any borrowed funds, including, but not limited
13 to, a detailed plan to meet payroll obligations for all
14 collective bargaining employees, civil service employees, and
15 academic, research, and health care personnel. The
16 establishment of any promissory note or line of credit
17 established under this item (13) must be finalized within 90
18 days after the effective date of this amendatory Act of the
19 96th General Assembly. The borrowed moneys shall be applied to
20 the purposes of paying salaries and other expenses lawfully
21 authorized in the University's State appropriation and unpaid
22 by the State Comptroller. Any line of credit established under
23 this item (13) shall be paid in full one year after creation or
24 on such date as the University receives reimbursement from the
25 State for all submitted fiscal year 2010 vouchers, whichever is
26 earlier. Any promissory note established under this item (13)

1 shall be repaid within one year after issuance of the note. The
2 Chairman, Comptroller, or Treasurer of the Board shall execute
3 a promissory note or similar debt instrument to evidence the
4 indebtedness incurred by the borrowing. In connection with a
5 borrowing, the Board may establish a line of credit with a
6 financial institution, investment bank, or broker/dealer. The
7 obligation to make the payments due under any promissory note
8 or line of credit established under this item (13) shall be a
9 lawful obligation of the University payable from the
10 anticipated moneys. Any borrowing under this item (13) shall
11 not constitute a debt, legal or moral, of the State and shall
12 not be enforceable against the State. The line of credit shall
13 be authorized by a resolution passed by the Board and shall be
14 valid whether or not a budgeted item with respect to that
15 resolution is included in any annual or supplemental budget
16 adopted by the Board. The resolution shall set forth facts
17 demonstrating the need for the borrowing, state an amount that
18 the amount to be borrowed will not exceed, and establish a
19 maximum interest rate limit not to exceed the maximum rate
20 authorized by the Bond Authorization Act or 9%, whichever is
21 less. The resolution may direct the Comptroller or Treasurer of
22 the Board to make arrangements to set apart and hold the
23 portion of the anticipated moneys, as received, that shall be
24 used to repay the borrowing, subject to any prior pledges or
25 restrictions with respect to the anticipated moneys. The
26 resolution may also authorize the Treasurer of the Board to

1 make partial repayments of the borrowing as the anticipated
2 moneys become available and may contain any other terms,
3 restrictions, or limitations not inconsistent with the powers
4 of the Board.

5 For the purposes of this item (13), "financial institution"
6 means any bank subject to the Illinois Banking Act, any savings
7 and loan association subject to the Illinois Savings and Loan
8 Act of 1985, and any federally chartered commercial bank or
9 savings and loan association or government-sponsored
10 enterprise organized and operated in this State pursuant to the
11 laws of the United States.

12 (Source: P.A. 96-909, eff. 6-8-10; revised 6-15-10.)

13 (110 ILCS 670/15-120)

14 Sec. 15-120. Limitation on tuition and fee increase.

15 (a) This subsection (a) ~~Section~~ applies only to those
16 students who first enroll after the 2003-2004 academic year.
17 This subsection (a) does not apply beginning with the 2011-2012
18 academic year. For 4 continuous academic years following
19 initial enrollment (or for undergraduate programs that require
20 more than 4 years to complete, for the normal time to complete
21 the program, as determined by the University), the tuition
22 charged an undergraduate student who is an Illinois resident
23 shall not exceed the amount that the student was charged at the
24 time he or she first enrolled in the University. However, if
25 the student changes majors during this time period, the tuition

1 charged the student shall equal the amount the student would
2 have been charged had he or she been admitted to the changed
3 major when he or she first enrolled. An undergraduate student
4 who is an Illinois resident and who has for 4 continuous
5 academic years been charged no more than the tuition amount
6 that he or she was charged at the time he or she first enrolled
7 in the University shall be charged tuition not to exceed the
8 amount the University charged students who first enrolled in
9 the University for the academic year following the academic
10 year the student first enrolled in the University for a maximum
11 of 2 additional continuous academic years.

12 (b) Notwithstanding any other provision of law to the
13 contrary, for the 2011-2012 academic year and each academic
14 year thereafter, the tuition and fee rates for undergraduate
15 and graduate resident and non-resident students must be equal
16 to the tuition and fee rates in effect for the 2010-2011
17 academic year or such lesser or greater amount as may be
18 established by law by the General Assembly.

19 (Source: P.A. 96-1293, eff. 7-26-10.)

20 Section 30. The Illinois State University Law is amended by
21 changing Sections 20-45 and 20-125 as follows:

22 (110 ILCS 675/20-45)

23 Sec. 20-45. Powers and duties. The Board also shall have
24 power and it shall be its duty:

1 (1) To make rules, regulations and bylaws, not inconsistent
2 with law, for the government and management of Illinois State
3 University and its branches;

4 (2) To employ, and, for good cause, to remove a President
5 of Illinois State University, and all necessary deans,
6 professors, associate professors, assistant professors,
7 instructors, other educational and administrative assistants,
8 and all other necessary employees, and to prescribe their
9 duties and contract with them upon matters relating to tenure,
10 salaries and retirement benefits in accordance with the State
11 Universities Civil Service Act. Whenever the Board establishes
12 a search committee to fill the position of President of
13 Illinois State University, there shall be minority
14 representation, including women, on that search committee. The
15 Board shall, upon the written request of an employee of
16 Illinois State University, withhold from the compensation of
17 that employee any dues, payments or contributions payable by
18 such employee to any labor organization as defined in the
19 Illinois Educational Labor Relations Act. Under such
20 arrangement, an amount shall be withheld from each regular
21 payroll period which is equal to the pro rata share of the
22 annual dues plus any payments or contributions, and the Board
23 shall transmit such withholdings to the specified labor
24 organization within 10 working days from the time of the
25 withholding;

26 (3) To prescribe the courses of study to be followed, and

1 textbooks and apparatus to be used at Illinois State
2 University;

3 (4) To issue upon the recommendation of the faculty,
4 diplomas to such persons as have satisfactorily completed the
5 required studies of Illinois State University, and confer such
6 professional and literary degrees as are usually conferred by
7 other institutions of like character for similar or equivalent
8 courses of study, or such as the Board may deem appropriate;

9 (5) To examine into the conditions, management, and
10 administration of Illinois State University, to provide the
11 requisite buildings, apparatus, equipment and auxiliary
12 enterprises, and to ~~fix and~~ collect matriculation fees; tuition
13 fees; fees for student activities; fees for student facilities
14 such as student union buildings or field houses or stadia or
15 other recreational facilities; student welfare fees;
16 laboratory fees; and similar fees for supplies and materials.
17 The expense of the building, improving, repairing and supplying
18 fuel and furniture and the necessary appliances and apparatus
19 for conducting Illinois State University, the reimbursed
20 expenses of members of the Board, and the salaries or
21 compensation of the President, assistants, agents and other
22 employees of Illinois State University, shall be a charge upon
23 the State Treasury. All other expenses shall be chargeable
24 against students, and the Board shall regulate the charges
25 accordingly;

26 (6) To succeed to and to administer all trusts, trust

1 property, and gifts now or hereafter belonging or pertaining to
2 Illinois State University;

3 (7) To accept endowments of professorships or departments
4 in Illinois State University from any person who may proffer
5 them and, at regular meetings, to prescribe rules and
6 regulations in relation to endowments and declare on what
7 general principles they may be accepted;

8 (8) To enter into contracts with the Federal government for
9 providing courses of instruction and other services at Illinois
10 State University for persons serving in or with the military or
11 naval forces of the United States, and to provide such courses
12 of instruction and other services;

13 (9) To contract with respect to the Cooperative Computer
14 Center to obtain services related to electronic data
15 processing;

16 (10) To provide for the receipt and expenditures of Federal
17 funds paid to Illinois State University by the Federal
18 government for instruction and other services for persons
19 serving in or with the military or naval forces of the United
20 States, and to provide for audits of such funds;

21 (11) To appoint, subject to the applicable civil service
22 law, persons to be members of the Illinois State University
23 Police Department. Members of the Police Department shall be
24 conservators of the peace and as such have all powers possessed
25 by policemen in cities, and sheriffs, including the power to
26 make arrests on view or warrants of violations of State

1 statutes, University rules and regulations and city or county
2 ordinances, except that they may exercise such powers only
3 within counties wherein Illinois State University and any of
4 its branches or properties are located when such is required
5 for the protection of University properties and interests, and
6 its students and personnel, and otherwise, within such
7 counties, when requested by appropriate State or local law
8 enforcement officials. However, such officers shall have no
9 power to serve and execute civil processes.

10 The Board must authorize to each member of the Illinois
11 State University Police Department and to any other employee of
12 Illinois State University exercising the powers of a peace
13 officer a distinct badge that, on its face, (i) clearly states
14 that the badge is authorized by Illinois State University and
15 (ii) contains a unique identifying number. No other badge shall
16 be authorized by Illinois State University;

17 (12) The Board may, directly or in cooperation with other
18 institutions of higher education, acquire by purchase or lease
19 or otherwise, and construct, enlarge, improve, equip,
20 complete, operate, control and manage research and high
21 technology parks, together with the necessary lands,
22 buildings, facilities, equipment, and personal property
23 therefor, to encourage and facilitate (i) the location and
24 development of business and industry in the State of Illinois,
25 and (ii) the increased application and development of
26 technology, and (iii) the improvement and development of the

1 State's economy. The Board may lease to nonprofit corporations
2 all or any part of the land, buildings, facilities, equipment
3 or other property included in a research and high technology
4 park upon such terms and conditions as the Board may deem
5 advisable and enter into any contract or agreement with such
6 nonprofit corporations as may be necessary or suitable for the
7 construction, financing, operation and maintenance and
8 management of any such park; and may lease to any person, firm,
9 partnership or corporation, either public or private, any part
10 or all of the land, building, facilities, equipment or other
11 property of such park for such purposes and upon such rentals,
12 terms and conditions as the Board may deem advisable; and may
13 finance all or part of the cost of any such park, including the
14 purchase, lease, construction, reconstruction, improvement,
15 remodeling, addition to, and extension and maintenance of all
16 or part of such high technology park, and all equipment and
17 furnishings, by legislative appropriations, government grants,
18 contracts, private gifts, loans, receipts from the operation of
19 such high technology park, rentals and similar receipts; and
20 may make its other facilities and services available to tenants
21 or other occupants of any such park at rates which are
22 reasonable and appropriate;

23 (13) To assist in the provision of lands, buildings, and
24 facilities that are supportive of university purposes and
25 suitable and appropriate for the conduct and operation of the
26 university's education programs, the Board of Trustees of

1 Illinois State University may exercise the powers specified in
2 subparagraphs (a), (b), and (c) of this paragraph (13) with
3 regard to the following described property located near the
4 Normal, Illinois campus of Illinois State University:

5 Parcel 1: Approximately 300 acres that form a part of the
6 Illinois State University Farm in Section 20, Township 24
7 North, Range 2 East of the Third Principal Meridian in
8 McLean County, Illinois.

9 Parcels 2 and 3: Lands located in the Northeast Quadrant of
10 the City of Normal in McLean County, Illinois, one such
11 parcel consisting of approximately 150 acres located north
12 and east of the old Illinois Soldiers and Sailors
13 Children's School campus, and another such parcel, located
14 in the Northeast Quadrant of the old Soldiers and Sailors
15 Children's School Campus, consisting of approximately
16 1.03.

17 (a) The Board of Trustees may sell, lease, or otherwise
18 transfer and convey all or part of the above described
19 parcels of real estate, together with the improvements
20 situated thereon, to a bona fide purchaser for value,
21 without compliance with the State Property Control Act and
22 on such terms as the Board of Trustees shall determine are
23 in the best interests of Illinois State University and
24 consistent with its objects and purposes.

25 (b) The Board of Trustees may retain the proceeds from
26 the sale, lease, or other transfer of all or any part of

1 the above described parcels of real estate in the
2 University treasury, in a special, separate development
3 fund account that the Auditor General shall examine to
4 assure the use or deposit of those proceeds in a manner
5 consistent with the provisions of subparagraph (c) of this
6 paragraph (13).

7 (c) Moneys from the development fund account may be
8 used by the Board of Trustees of Illinois State University
9 to acquire and develop other land to achieve the same
10 purposes for which the parcels of real estate described in
11 this item (13), all or a part of which have been sold,
12 leased, or otherwise transferred and conveyed, were used
13 and for the purpose of demolition and the processes
14 associated with demolition on the acquired land. Moneys
15 from the development fund account used for any other
16 purpose must be deposited into and appropriated from the
17 General Revenue Fund. Buildings or facilities leased to an
18 entity or person other than the University shall not be
19 subject to any limitations applicable to a State-supported
20 college or university under any law. All development on the
21 land and all the use of any buildings or facilities shall
22 be subject to the control and approval of the Board of
23 Trustees of Illinois State University;

24 (14) To borrow money, as necessary, from time to time in
25 anticipation of receiving tuition, payments from the State of
26 Illinois, or other revenues or receipts of the University, also

1 known as anticipated moneys. The borrowing limit shall be
2 capped at 100% of the total amount of payroll and other expense
3 vouchers submitted and payable to the University for fiscal
4 year 2010 expenses, but unpaid by ~~at~~ the State Comptroller's
5 office. Prior to borrowing any funds, the University shall
6 request from the Comptroller's office a verification of the
7 borrowing limit and shall include the estimated date on which
8 such borrowing shall occur. The borrowing limit cap shall be
9 verified by the State Comptroller's office not prior to 45 days
10 before any estimated date for executing any promissory note or
11 line of credit established under this item (14). The principal
12 amount borrowed under a promissory note or line of credit shall
13 not exceed 75% of the borrowing limit. Within 15 days after
14 borrowing funds under any promissory note or line of credit
15 established under this item (14), the University shall submit
16 to the Governor's Office of Management and Budget, the Speaker
17 of the House of Representatives, the Minority Leader of the
18 House of Representatives, the President of the Senate, and the
19 Minority Leader of the Senate, an Emergency Short Term Cash
20 Management Plan. The Emergency Short Term Cash Management Plan
21 shall outline the amount borrowed, the terms for repayment, the
22 amount of outstanding State vouchers as verified by the State
23 Comptroller's office, and the University's plan for
24 expenditure of any borrowed funds, including, but not limited
25 to, a detailed plan to meet payroll obligations to include
26 collective bargaining employees, civil service employees, and

1 academic, research, and health care personnel. The
2 establishment of any promissory note or line of credit
3 established under this item (14) must be finalized within 90
4 days after the effective date of this amendatory Act of the
5 96th General Assembly. The borrowed moneys shall be applied to
6 the purposes of paying salaries and other expenses lawfully
7 authorized in the University's State appropriation and unpaid
8 by the State Comptroller. Any line of credit established under
9 this item (14) shall be paid in full one year after creation or
10 within 10 days after the date the University receives
11 reimbursement from the State for all submitted fiscal year 2010
12 vouchers, whichever is earlier. Any promissory note
13 established under this item (14) shall be repaid within one
14 year after issuance of the note. The Chairman, Comptroller, or
15 Treasurer of the Board shall execute a promissory note or
16 similar debt instrument to evidence the indebtedness incurred
17 by the borrowing. In connection with a borrowing, the Board may
18 establish a line of credit with a financial institution,
19 investment bank, or broker/dealer. The obligation to make the
20 payments due under any promissory note or line of credit
21 established under this item (14) shall be a lawful obligation
22 of the University payable from the anticipated moneys. Any
23 borrowing under this item (14) shall not constitute a debt,
24 legal or moral, of the State and shall not be enforceable
25 against the State. The promissory note or line of credit shall
26 be authorized by a resolution passed by the Board and shall be

1 valid whether or not a budgeted item with respect to that
2 resolution is included in any annual or supplemental budget
3 adopted by the Board. The resolution shall set forth facts
4 demonstrating the need for the borrowing, state an amount that
5 the amount to be borrowed will not exceed, and establish a
6 maximum interest rate limit not to exceed the maximum rate
7 authorized by the Bond Authorization Act or 9%, whichever is
8 less. The resolution may direct the Comptroller or Treasurer of
9 the Board to make arrangements to set apart and hold the
10 portion of the anticipated moneys, as received, that shall be
11 used to repay the borrowing, subject to any prior pledges or
12 restrictions with respect to the anticipated moneys. The
13 resolution may also authorize the Treasurer of the Board to
14 make partial repayments of the borrowing as the anticipated
15 moneys become available and may contain any other terms,
16 restrictions, or limitations not inconsistent with the powers
17 of the Board.

18 For the purposes of this item (14), "financial institution"
19 means any bank subject to the Illinois Banking Act, any savings
20 and loan association subject to the Illinois Savings and Loan
21 Act of 1985, and any federally chartered commercial bank or
22 savings and loan association or government-sponsored
23 enterprise organized and operated in this State pursuant to the
24 laws of the United States.

25 (Source: P.A. 96-909, eff. 6-8-10; revised 6-15-10.)

1 (110 ILCS 675/20-125)

2 Sec. 20-125. Limitation on tuition and fee increase.

3 (a) This subsection (a) ~~Section~~ applies only to those
4 students who first enroll after the 2003-2004 academic year.
5 This subsection (a) does not apply beginning with the 2011-2012
6 academic year. For 4 continuous academic years following
7 initial enrollment (or for undergraduate programs that require
8 more than 4 years to complete, for the normal time to complete
9 the program, as determined by the University), the tuition
10 charged an undergraduate student who is an Illinois resident
11 shall not exceed the amount that the student was charged at the
12 time he or she first enrolled in the University. However, if
13 the student changes majors during this time period, the tuition
14 charged the student shall equal the amount the student would
15 have been charged had he or she been admitted to the changed
16 major when he or she first enrolled. An undergraduate student
17 who is an Illinois resident and who has for 4 continuous
18 academic years been charged no more than the tuition amount
19 that he or she was charged at the time he or she first enrolled
20 in the University shall be charged tuition not to exceed the
21 amount the University charged students who first enrolled in
22 the University for the academic year following the academic
23 year the student first enrolled in the University for a maximum
24 of 2 additional continuous academic years.

25 (b) Notwithstanding any other provision of law to the
26 contrary, for the 2011-2012 academic year and each academic

1 year thereafter, the tuition and fee rates for undergraduate
2 and graduate resident and non-resident students must be equal
3 to the tuition and fee rates in effect for the 2010-2011
4 academic year or such lesser or greater amount as may be
5 established by law by the General Assembly.

6 (Source: P.A. 96-1293, eff. 7-26-10.)

7 Section 35. The Northeastern Illinois University Law is
8 amended by changing Sections 25-45 and 25-120 as follows:

9 (110 ILCS 680/25-45)

10 Sec. 25-45. Powers and duties. The Board also shall have
11 power and it shall be its duty:

12 (1) To make rules, regulations and bylaws, not inconsistent
13 with law, for the government and management of Northeastern
14 Illinois University and its branches;

15 (2) To employ, and, for good cause, to remove a President
16 of Northeastern Illinois University, and all necessary deans,
17 professors, associate professors, assistant professors,
18 instructors, other educational and administrative assistants,
19 and all other necessary employees, and to prescribe their
20 duties and contract with them upon matters relating to tenure,
21 salaries and retirement benefits in accordance with the State
22 Universities Civil Service Act. Whenever the Board establishes
23 a search committee to fill the position of President of
24 Northeastern Illinois University, there shall be minority

1 representation, including women, on that search committee. The
2 Board shall, upon the written request of an employee of
3 Northeastern Illinois University, withhold from the
4 compensation of that employee any dues, payments or
5 contributions payable by such employee to any labor
6 organization as defined in the Illinois Educational Labor
7 Relations Act. Under such arrangement, an amount shall be
8 withheld from each regular payroll period which is equal to the
9 pro rata share of the annual dues plus any payments or
10 contributions, and the Board shall transmit such withholdings
11 to the specified labor organization within 10 working days from
12 the time of the withholding;

13 (3) To prescribe the courses of study to be followed, and
14 textbooks and apparatus to be used at Northeastern Illinois
15 University;

16 (4) To issue upon the recommendation of the faculty,
17 diplomas to such persons as have satisfactorily completed the
18 required studies of Northeastern Illinois University, and
19 confer such professional and literary degrees as are usually
20 conferred by other institutions of like character for similar
21 or equivalent courses of study, or such as the Board may deem
22 appropriate;

23 (5) To examine into the conditions, management, and
24 administration of Northeastern Illinois University, to provide
25 the requisite buildings, apparatus, equipment and auxiliary
26 enterprises, and to ~~fix and~~ collect matriculation fees; tuition

1 fees; fees for student activities; fees for student facilities
2 such as student union buildings or field houses or stadia or
3 other recreational facilities; student welfare fees;
4 laboratory fees; and similar fees for supplies and materials.
5 The expense of the building, improving, repairing and supplying
6 fuel and furniture and the necessary appliances and apparatus
7 for conducting Northeastern Illinois University, the
8 reimbursed expenses of members of the Board, and the salaries
9 or compensation of the President, assistants, agents and other
10 employees of Northeastern Illinois University, shall be a
11 charge upon the State Treasury. All other expenses shall be
12 chargeable against students, and the Board shall regulate the
13 charges accordingly;

14 (6) To succeed to and to administer all trusts, trust
15 property, and gifts now or hereafter belonging or pertaining to
16 Northeastern Illinois University;

17 (7) To accept endowments of professorships or departments
18 in Northeastern Illinois University from any person who may
19 proffer them and, at regular meetings, to prescribe rules and
20 regulations in relation to endowments and declare on what
21 general principles they may be accepted;

22 (8) To enter into contracts with the Federal government for
23 providing courses of instruction and other services at
24 Northeastern Illinois University for persons serving in or with
25 the military or naval forces of the United States, and to
26 provide such courses of instruction and other services;

1 (9) To contract with respect to the Cooperative Computer
2 Center to obtain services related to electronic data
3 processing;

4 (10) To provide for the receipt and expenditures of Federal
5 funds paid to Northeastern Illinois University by the Federal
6 government for instruction and other services for persons
7 serving in or with the military or naval forces of the United
8 States, and to provide for audits of such funds;

9 (11) To appoint, subject to the applicable civil service
10 law, persons to be members of the Northeastern Illinois
11 University Police Department. Members of the Police Department
12 shall be conservators of the peace and as such have all powers
13 possessed by policemen in cities, and sheriffs, including the
14 power to make arrests on view or warrants of violations of
15 State statutes, University rules and regulations and city or
16 county ordinances, except that they may exercise such powers
17 only within counties wherein Northeastern Illinois University
18 and any of its branches or properties are located when such is
19 required for the protection of University properties and
20 interests, and its students and personnel, and otherwise,
21 within such counties, when requested by appropriate State or
22 local law enforcement officials. However, such officers shall
23 have no power to serve and execute civil processes.

24 The Board must authorize to each member of the Northeastern
25 Illinois University Police Department and to any other employee
26 of Northeastern Illinois University exercising the powers of a

1 peace officer a distinct badge that, on its face, (i) clearly
2 states that the badge is authorized by Northeastern Illinois
3 University and (ii) contains a unique identifying number. No
4 other badge shall be authorized by Northeastern Illinois
5 University;

6 (12) The Board may, directly or in cooperation with other
7 institutions of higher education, acquire by purchase or lease
8 or otherwise, and construct, enlarge, improve, equip,
9 complete, operate, control and manage research and high
10 technology parks, together with the necessary lands,
11 buildings, facilities, equipment, and personal property
12 therefor, to encourage and facilitate (i) the location and
13 development of business and industry in the State of Illinois,
14 and (ii) the increased application and development of
15 technology, and (iii) the improvement and development of the
16 State's economy. The Board may lease to nonprofit corporations
17 all or any part of the land, buildings, facilities, equipment
18 or other property included in a research and high technology
19 park upon such terms and conditions as the Board may deem
20 advisable and enter into any contract or agreement with such
21 nonprofit corporations as may be necessary or suitable for the
22 construction, financing, operation and maintenance and
23 management of any such park; and may lease to any person, firm,
24 partnership or corporation, either public or private, any part
25 or all of the land, building, facilities, equipment or other
26 property of such park for such purposes and upon such rentals,

1 terms and conditions as the Board may deem advisable; and may
2 finance all or part of the cost of any such park, including the
3 purchase, lease, construction, reconstruction, improvement,
4 remodeling, addition to, and extension and maintenance of all
5 or part of such high technology park, and all equipment and
6 furnishings, by legislative appropriations, government grants,
7 contracts, private gifts, loans, receipts from the operation of
8 such high technology park, rentals and similar receipts; and
9 may make its other facilities and services available to tenants
10 or other occupants of any such park at rates which are
11 reasonable and appropriate;

12 (13) To borrow money, as necessary, from time to time in
13 anticipation of receiving tuition, payments from the State of
14 Illinois, or other revenues or receipts of the University, also
15 known as anticipated moneys. The borrowing limit shall be
16 capped at 100% of the total amount of payroll and other expense
17 vouchers submitted and payable to the University for fiscal
18 year 2010 expenses, but unpaid by ~~at~~ the State Comptroller's
19 office. Prior to borrowing any funds, the University shall
20 request from the Comptroller's office a verification of the
21 borrowing limit and shall include the estimated date on which
22 such borrowing shall occur. The borrowing limit cap shall be
23 verified by the State Comptroller's office not prior to 45 days
24 before any estimated date for executing any promissory note or
25 line of credit established under this item (13). The principal
26 amount borrowed under a promissory note or line of credit shall

1 not exceed 75% of the borrowing limit. Within 15 days after
2 borrowing funds under any promissory note or line of credit
3 established under this item (13), the University shall submit
4 to the Governor's Office of Management and Budget, the Speaker
5 of the House of Representatives, the Minority Leader of the
6 House of Representatives, the President of the Senate, and the
7 Minority Leader of the Senate, an Emergency Short Term Cash
8 Management Plan. The Emergency Short Term Cash Management Plan
9 shall outline the amount borrowed, the terms for repayment, the
10 amount of outstanding State vouchers as verified by the State
11 Comptroller's office, and the University's plan for
12 expenditure of any borrowed funds, including, but not limited
13 to, a detailed plan to meet payroll obligations to include
14 collective bargaining employees, civil service employees, and
15 academic, research, and health care personnel. The
16 establishment of any promissory note or line of credit
17 established under this item (13) must be finalized within 90
18 days after the effective date of this amendatory Act of the
19 96th General Assembly. The borrowed moneys shall be applied to
20 the purposes of paying salaries and other expenses lawfully
21 authorized in the University's State appropriation and unpaid
22 by the State Comptroller. Any line of credit established under
23 this item (13) shall be paid in full one year after creation or
24 within 10 days after the date the University receives
25 reimbursement from the State for all submitted fiscal year 2010
26 vouchers, whichever is earlier. Any promissory note

1 established under this item (13) shall be repaid within one
2 year after issuance of the note. The Chairman, Comptroller, or
3 Treasurer of the Board shall execute a promissory note or
4 similar debt instrument to evidence the indebtedness incurred
5 by the borrowing. In connection with a borrowing, the Board may
6 establish a line of credit with a financial institution,
7 investment bank, or broker/dealer. The obligation to make the
8 payments due under any promissory note or line of credit
9 established under this item (13) shall be a lawful obligation
10 of the University payable from the anticipated moneys. Any
11 borrowing under this item (13) shall not constitute a debt,
12 legal or moral, of the State and shall not be enforceable
13 against the State. The promissory note or line of credit shall
14 be authorized by a resolution passed by the Board and shall be
15 valid whether or not a budgeted item with respect to that
16 resolution is included in any annual or supplemental budget
17 adopted by the Board. The resolution shall set forth facts
18 demonstrating the need for the borrowing, state an amount that
19 the amount to be borrowed will not exceed, and establish a
20 maximum interest rate limit not to exceed the maximum rate
21 authorized by the Bond Authorization Act or 9%, whichever is
22 less. The resolution may direct the Comptroller or Treasurer of
23 the Board to make arrangements to set apart and hold the
24 portion of the anticipated moneys, as received, that shall be
25 used to repay the borrowing, subject to any prior pledges or
26 restrictions with respect to the anticipated moneys. The

1 resolution may also authorize the Treasurer of the Board to
2 make partial repayments of the borrowing as the anticipated
3 moneys become available and may contain any other terms,
4 restrictions, or limitations not inconsistent with the powers
5 of the Board.

6 For the purposes of this item (13), "financial institution"
7 means any bank subject to the Illinois Banking Act, any savings
8 and loan association subject to the Illinois Savings and Loan
9 Act of 1985, and any federally chartered commercial bank or
10 savings and loan association or government-sponsored
11 enterprise organized and operated in this State pursuant to the
12 laws of the United States.

13 (Source: P.A. 96-909, eff. 6-8-10; revised 6-15-10.)

14 (110 ILCS 680/25-120)

15 Sec. 25-120. Limitation on tuition and fee increase.

16 (a) This subsection (a) ~~Section~~ applies only to those
17 students who first enroll after the 2003-2004 academic year.
18 This subsection (a) does not apply beginning with the 2011-2012
19 academic year. For 4 continuous academic years following
20 initial enrollment (or for undergraduate programs that require
21 more than 4 years to complete, for the normal time to complete
22 the program, as determined by the University), the tuition
23 charged an undergraduate student who is an Illinois resident
24 shall not exceed the amount that the student was charged at the
25 time he or she first enrolled in the University. However, if

1 the student changes majors during this time period, the tuition
2 charged the student shall equal the amount the student would
3 have been charged had he or she been admitted to the changed
4 major when he or she first enrolled. An undergraduate student
5 who is an Illinois resident and who has for 4 continuous
6 academic years been charged no more than the tuition amount
7 that he or she was charged at the time he or she first enrolled
8 in the University shall be charged tuition not to exceed the
9 amount the University charged students who first enrolled in
10 the University for the academic year following the academic
11 year the student first enrolled in the University for a maximum
12 of 2 additional continuous academic years.

13 (b) Notwithstanding any other provision of law to the
14 contrary, for the 2011-2012 academic year and each academic
15 year thereafter, the tuition and fee rates for undergraduate
16 and graduate resident and non-resident students must be equal
17 to the tuition and fee rates in effect for the 2010-2011
18 academic year or such lesser or greater amount as may be
19 established by law by the General Assembly.

20 (Source: P.A. 96-1293, eff. 7-26-10.)

21 Section 40. The Northern Illinois University Law is amended
22 by changing Sections 30-45 and 30-130 as follows:

23 (110 ILCS 685/30-45)

24 Sec. 30-45. Powers and duties. The Board also shall have

1 power and it shall be its duty:

2 (1) To make rules, regulations and bylaws, not inconsistent
3 with law, for the government and management of Northern
4 Illinois University and its branches.†

5 (2) To employ, and, for good cause, to remove a President
6 of Northern Illinois University, and all necessary deans,
7 professors, associate professors, assistant professors,
8 instructors, other educational and administrative assistants,
9 and all other necessary employees, and to prescribe their
10 duties and contract with them upon matters relating to tenure,
11 salaries and retirement benefits in accordance with the State
12 Universities Civil Service Act. Whenever the Board establishes
13 a search committee to fill the position of President of
14 Northern Illinois University, there shall be minority
15 representation, including women, on that search committee. The
16 Board shall, upon the written request of an employee of
17 Northern Illinois University, withhold from the compensation
18 of that employee any dues, payments or contributions payable by
19 such employee to any labor organization as defined in the
20 Illinois Educational Labor Relations Act. Under such
21 arrangement, an amount shall be withheld from each regular
22 payroll period which is equal to the pro rata share of the
23 annual dues plus any payments or contributions, and the Board
24 shall transmit such withholdings to the specified labor
25 organization within 10 working days from the time of the
26 withholding.†

1 (3) To prescribe the courses of study to be followed, and
2 textbooks and apparatus to be used at Northern Illinois
3 University.†

4 (4) To issue upon the recommendation of the faculty,
5 diplomas to such persons as have satisfactorily completed the
6 required studies of Northern Illinois University, and confer
7 such professional and literary degrees as are usually conferred
8 by other institutions of like character for similar or
9 equivalent courses of study, or such as the Board may deem
10 appropriate.†

11 (5) To examine into the conditions, management, and
12 administration of Northern Illinois University, to provide the
13 requisite buildings, apparatus, equipment and auxiliary
14 enterprises, and to ~~fix and~~ collect matriculation fees; tuition
15 fees; fees for student activities; fees for student facilities
16 such as student union buildings or field houses or stadia or
17 other recreational facilities; student welfare fees;
18 laboratory fees; and similar fees for supplies and materials.
19 The expense of the building, improving, repairing and supplying
20 fuel and furniture and the necessary appliances and apparatus
21 for conducting Northern Illinois University, the reimbursed
22 expenses of members of the Board, and the salaries or
23 compensation of the President, assistants, agents and other
24 employees of Northern Illinois University, shall be a charge
25 upon the State Treasury. All other expenses shall be chargeable
26 against students, and the Board shall regulate the charges

1 accordingly.†

2 (6) To succeed to and to administer all trusts, trust
3 property, and gifts now or hereafter belonging or pertaining to
4 Northern Illinois University.†

5 (7) To accept endowments of professorships or departments
6 in Northern Illinois University from any person who may proffer
7 them and, at regular meetings, to prescribe rules and
8 regulations in relation to endowments and declare on what
9 general principles they may be accepted.†

10 (8) To enter into contracts with the Federal government for
11 providing courses of instruction and other services at Northern
12 Illinois University for persons serving in or with the military
13 or naval forces of the United States, and to provide such
14 courses of instruction and other services.†

15 (9) To contract with respect to the Cooperative Computer
16 Center to obtain services related to electronic data
17 processing.†

18 (10) To provide for the receipt and expenditures of Federal
19 funds paid to Northern Illinois University by the Federal
20 government for instruction and other services for persons
21 serving in or with the military or naval forces of the United
22 States, and to provide for audits of such funds.†

23 (11) To appoint, subject to the applicable civil service
24 law, persons to be members of the Northern Illinois University
25 Police Department. Members of the Police Department shall be
26 conservators of the peace and as such have all powers possessed

1 by policemen in cities, and sheriffs, including the power to
2 make arrests on view or warrants of violations of State
3 statutes, University rules and regulations and city or county
4 ordinances, except that they may exercise such powers only
5 within counties wherein Northern Illinois University and any of
6 its branches or properties are located when such is required
7 for the protection of University properties and interests, and
8 its students and personnel, and otherwise, within such
9 counties, when requested by appropriate State or local law
10 enforcement officials. However, such officers shall have no
11 power to serve and execute civil processes.

12 The Board must authorize to each member of the Northern
13 Illinois University Police Department and to any other employee
14 of Northern Illinois University exercising the powers of a
15 peace officer a distinct badge that, on its face, (i) clearly
16 states that the badge is authorized by Northern Illinois
17 University and (ii) contains a unique identifying number. No
18 other badge shall be authorized by Northern Illinois
19 University.†

20 (12) The Board may, directly or in cooperation with other
21 institutions of higher education, acquire by purchase or lease
22 or otherwise, and construct, enlarge, improve, equip,
23 complete, operate, control and manage research and high
24 technology parks, together with the necessary lands,
25 buildings, facilities, equipment, and personal property
26 therefor, to encourage and facilitate (i) the location and

1 development of business and industry in the State of Illinois,
2 and (ii) the increased application and development of
3 technology, and (iii) the improvement and development of the
4 State's economy. The Board may lease to nonprofit corporations
5 all or any part of the land, buildings, facilities, equipment
6 or other property included in a research and high technology
7 park upon such terms and conditions as the Board may deem
8 advisable and enter into any contract or agreement with such
9 nonprofit corporations as may be necessary or suitable for the
10 construction, financing, operation and maintenance and
11 management of any such park; and may lease to any person, firm,
12 partnership or corporation, either public or private, any part
13 or all of the land, building, facilities, equipment or other
14 property of such park for such purposes and upon such rentals,
15 terms and conditions as the Board may deem advisable; and may
16 finance all or part of the cost of any such park, including the
17 purchase, lease, construction, reconstruction, improvement,
18 remodeling, addition to, and extension and maintenance of all
19 or part of such high technology park, and all equipment and
20 furnishings, by legislative appropriations, government grants,
21 contracts, private gifts, loans, receipts from the operation of
22 such high technology park, rentals and similar receipts; and
23 may make its other facilities and services available to tenants
24 or other occupants of any such park at rates which are
25 reasonable and appropriate.

26 (13) To assist in the provision of buildings and facilities

1 beneficial to, useful for, or supportive of university
2 purposes, the Board of Trustees of Northern Illinois University
3 may exercise the following powers with regard to the area
4 located on or adjacent to the Northern Illinois University
5 DeKalb campus and bounded as follows:

6 Parcel 1:

7 In Township 40 North, Range 4 East, of the Third Prime
8 Meridian, County of DeKalb, State of Illinois: The East
9 half of the Southeast Quarter of Section 17, the Southwest
10 Quarter of Section 16, and the Northwest Quarter of Section
11 21, all in the County of DeKalb, Illinois.

12 Parcel 2:

13 In Township 40 North, Range 4 East, of the Third Prime
14 Meridian, County of DeKalb, State of Illinois: On the
15 North, by a line beginning at the Northwest corner of the
16 Southeast Quarter of Section 15; thence East 1,903.3 feet;
17 thence South to the North line of the Southeast Quarter of
18 the Southeast Quarter of Section 15; thence East along said
19 line to North First Street; on the West by Garden Road
20 between Lucinda Avenue and the North boundary; thence on
21 the South by Lucinda Avenue between Garden Road and the
22 intersection of Lucinda Avenue and the South Branch of the
23 Kishwaukee River, and by the South Branch of the Kishwaukee
24 River between such intersection and easterly to the
25 intersection of such river and North First Street; thence
26 on the East by North First Street.

1 (a) Acquire any interests in land, buildings, or
2 facilities by purchase, including installments payable
3 over a period allowed by law, by lease over a term of such
4 duration as the Board of Trustees shall determine, or by
5 exercise of the power of eminent domain;

6 (b) Sublease or contract to purchase through
7 installments all or any portion of buildings or facilities
8 for such duration and on such terms as the Board of
9 Trustees shall determine, including a term that exceeds 5
10 years, provided that each such lease or purchase contract
11 shall be and shall recite that it is subject to termination
12 and cancellation in any year for which the General Assembly
13 fails to make an appropriation to pay the rent or purchase
14 installments payable under the terms of such lease or
15 purchase contracts; and

16 (c) Sell property without compliance with the State
17 Property Control Act and retain proceeds in the University
18 treasury in a special, separate development fund account
19 which the Auditor General shall examine to assure
20 compliance with this Act.

21 Any buildings or facilities to be developed on the land
22 shall be buildings or facilities that, in the determination of
23 the Board of Trustees, in whole or in part: (i) are for use by
24 the University; or (ii) otherwise advance the interests of the
25 University, including, by way of example, residential,
26 recreational, educational, and athletic facilities for

1 University staff and students and commercial facilities which
2 provide services needed by the University community. Revenues
3 from the development fund account may be withdrawn by the
4 University for the purpose of demolition and the processes
5 associated with demolition; routine land and property
6 acquisition; extension of utilities; streetscape work;
7 landscape work; surface and structure parking; sidewalks,
8 recreational paths, and street construction; and lease and
9 lease purchase arrangements and the professional services
10 associated with the planning and development of the area.
11 Moneys from the development fund account used for any other
12 purpose must be deposited into and appropriated from the
13 General Revenue Fund. Buildings or facilities leased to an
14 entity or person other than the University shall not be subject
15 to any limitations applicable to a State-supported college or
16 university under any law. All development on the land and all
17 the use of any buildings or facilities shall be subject to the
18 control and approval of the Board of Trustees of Northern
19 Illinois University.

20 (14) To borrow money, as necessary, from time to time in
21 anticipation of receiving tuition, payments from the State of
22 Illinois, or other revenues or receipts of the University, also
23 known as anticipated moneys. The borrowing limit shall be
24 capped at 100% of the total amount of payroll and other expense
25 vouchers submitted and payable to the University for fiscal
26 year 2010 expenses, but unpaid by ~~at~~ the State Comptroller's

1 office. Prior to borrowing any funds, the University shall
2 request from the Comptroller's office a verification of the
3 borrowing limit and shall include the estimated date on which
4 such borrowing shall occur. The borrowing limit cap shall be
5 verified by the State Comptroller's office not prior to 45 days
6 before any estimated date for executing any promissory note or
7 line of credit established under this item (14). The principal
8 amount borrowed under a promissory note or line of credit shall
9 not exceed 75% of the borrowing limit. Within 15 days after
10 borrowing funds under any promissory note or line of credit
11 established under this item (14), the University shall submit
12 to the Governor's Office of Management and Budget, the Speaker
13 of the House of Representatives, the Minority Leader of the
14 House of Representatives, the President of the Senate, and the
15 Minority Leader of the Senate, ~~an~~ Emergency Short Term Cash
16 Management Plan. The Emergency Short Term Cash Management Plan
17 shall outline the amount borrowed, the terms for repayment, the
18 amount of outstanding State vouchers as verified by the State
19 Comptroller's office, and the University's plan for
20 expenditure of any borrowed funds, including, but not limited
21 to, a detailed plan to meet payroll obligations for all
22 collective bargaining employees, civil service employees, and
23 academic, research, and health care personnel. The
24 establishment of any promissory note or line of credit
25 established under this item (14) must be finalized within 90
26 days after the effective date of this amendatory Act of the

1 96th General Assembly. The borrowed moneys shall be applied to
2 the purposes of paying salaries and other expenses lawfully
3 authorized in the University's State appropriation and unpaid
4 by the State Comptroller. Any line of credit established under
5 this item (14) shall be paid in full one year after creation or
6 within 10 days after the date the University receives
7 reimbursement from the State for all submitted fiscal year 2010
8 vouchers, whichever is earlier. Any promissory note
9 established under this item (14) shall be repaid within one
10 year after issuance of the note. The Chairman, Comptroller, or
11 Treasurer of the Board shall execute a promissory note or
12 similar debt instrument to evidence the indebtedness incurred
13 by the borrowing. In connection with a borrowing, the Board may
14 establish a line of credit with a financial institution,
15 investment bank, or broker/dealer. The obligation to make the
16 payments due under any promissory note or line of credit
17 established under this item (14) shall be a lawful obligation
18 of the University payable from the anticipated moneys. Any
19 borrowing under this item (14) shall not constitute a debt,
20 legal or moral, of the State and shall not be enforceable
21 against the State. The promissory note or line of credit shall
22 be authorized by a resolution passed by the Board and shall be
23 valid whether or not a budgeted item with respect to that
24 resolution is included in any annual or supplemental budget
25 adopted by the Board. The resolution shall set forth facts
26 demonstrating the need for the borrowing, state an amount that

1 the amount to be borrowed will not exceed, and establish a
2 maximum interest rate limit not to exceed the maximum rate
3 authorized by the Bond Authorization Act or 9%, whichever is
4 less. The resolution may direct the Comptroller or Treasurer of
5 the Board to make arrangements to set apart and hold the
6 portion of the anticipated moneys, as received, that shall be
7 used to repay the borrowing, subject to any prior pledges or
8 restrictions with respect to the anticipated moneys. The
9 resolution may also authorize the Treasurer of the Board to
10 make partial repayments of the borrowing as the anticipated
11 moneys become available and may contain any other terms,
12 restrictions, or limitations not inconsistent with the powers
13 of the Board.

14 For the purposes of this item (14), "financial institution"
15 means any bank subject to the Illinois Banking Act, any savings
16 and loan association subject to the Illinois Savings and Loan
17 Act of 1985, and any federally chartered commercial bank or
18 savings and loan association or government-sponsored
19 enterprise organized and operated in this State pursuant to the
20 laws of the United States.

21 (Source: P.A. 96-909, eff. 6-8-10; revised 6-15-10.)

22 (110 ILCS 685/30-130)

23 Sec. 30-130. Limitation on tuition and fee increase.

24 (a) This subsection (a) ~~Section~~ applies only to those
25 students who first enroll after the 2003-2004 academic year.

1 This subsection (a) does not apply beginning with the 2011-2012
2 academic year. For 4 continuous academic years following
3 initial enrollment (or for undergraduate programs that require
4 more than 4 years to complete, for the normal time to complete
5 the program, as determined by the University), the tuition
6 charged an undergraduate student who is an Illinois resident
7 shall not exceed the amount that the student was charged at the
8 time he or she first enrolled in the University. However, if
9 the student changes majors during this time period, the tuition
10 charged the student shall equal the amount the student would
11 have been charged had he or she been admitted to the changed
12 major when he or she first enrolled. An undergraduate student
13 who is an Illinois resident and who has for 4 continuous
14 academic years been charged no more than the tuition amount
15 that he or she was charged at the time he or she first enrolled
16 in the University shall be charged tuition not to exceed the
17 amount the University charged students who first enrolled in
18 the University for the academic year following the academic
19 year the student first enrolled in the University for a maximum
20 of 2 additional continuous academic years.

21 (b) Notwithstanding any other provision of law to the
22 contrary, for the 2011-2012 academic year and each academic
23 year thereafter, the tuition and fee rates for undergraduate
24 and graduate resident and non-resident students must be equal
25 to the tuition and fee rates in effect for the 2010-2011
26 academic year or such lesser or greater amount as may be

1 established by law by the General Assembly.

2 (Source: P.A. 96-1293, eff. 7-26-10.)

3 Section 45. The Western Illinois University Law is amended
4 by changing Sections 35-45 and 35-125 as follows:

5 (110 ILCS 690/35-45)

6 Sec. 35-45. Powers and duties. The Board also shall have
7 power and it shall be its duty:

8 (1) To make rules, regulations and bylaws, not inconsistent
9 with law, for the government and management of Western Illinois
10 University and its branches;

11 (2) To employ, and, for good cause, to remove a President
12 of Western Illinois University, and all necessary deans,
13 professors, associate professors, assistant professors,
14 instructors, other educational and administrative assistants,
15 and all other necessary employees, and to prescribe their
16 duties and contract with them upon matters relating to tenure,
17 salaries and retirement benefits in accordance with the State
18 Universities Civil Service Act. Whenever the Board establishes
19 a search committee to fill the position of President of Western
20 Illinois University, there shall be minority representation,
21 including women, on that search committee. The Board shall,
22 upon the written request of an employee of Western Illinois
23 University, withhold from the compensation of that employee any
24 dues, payments or contributions payable by such employee to any

1 labor organization as defined in the Illinois Educational Labor
2 Relations Act. Under such arrangement, an amount shall be
3 withheld from each regular payroll period which is equal to the
4 pro rata share of the annual dues plus any payments or
5 contributions, and the Board shall transmit such withholdings
6 to the specified labor organization within 10 working days from
7 the time of the withholding;

8 (3) To prescribe the courses of study to be followed, and
9 textbooks and apparatus to be used at Western Illinois
10 University;

11 (4) To issue upon the recommendation of the faculty,
12 diplomas to such persons as have satisfactorily completed the
13 required studies of Western Illinois University, and confer
14 such professional and literary degrees as are usually conferred
15 by other institutions of like character for similar or
16 equivalent courses of study, or such as the Board may deem
17 appropriate;

18 (5) To examine into the conditions, management, and
19 administration of Western Illinois University, to provide the
20 requisite buildings, apparatus, equipment and auxiliary
21 enterprises, and to ~~fix and~~ collect matriculation fees; tuition
22 fees; fees for student activities; fees for student facilities
23 such as student union buildings or field houses or stadia or
24 other recreational facilities; student welfare fees;
25 laboratory fees; and similar fees for supplies and materials.
26 The expense of the building, improving, repairing and supplying

1 fuel and furniture and the necessary appliances and apparatus
2 for conducting Western Illinois University, the reimbursed
3 expenses of members of the Board, and the salaries or
4 compensation of the President, assistants, agents and other
5 employees of Western Illinois University, shall be a charge
6 upon the State Treasury. All other expenses shall be chargeable
7 against students, and the Board shall regulate the charges
8 accordingly;

9 (6) To succeed to and to administer all trusts, trust
10 property, and gifts now or hereafter belonging or pertaining to
11 Western Illinois University;

12 (7) To accept endowments of professorships or departments
13 in Western Illinois University from any person who may proffer
14 them and, at regular meetings, to prescribe rules and
15 regulations in relation to endowments and declare on what
16 general principles they may be accepted;

17 (8) To enter into contracts with the Federal government for
18 providing courses of instruction and other services at Western
19 Illinois University for persons serving in or with the military
20 or naval forces of the United States, and to provide such
21 courses of instruction and other services;

22 (9) To contract with respect to the Cooperative Computer
23 Center to obtain services related to electronic data
24 processing;

25 (10) To provide for the receipt and expenditures of Federal
26 funds paid to Western Illinois University by the Federal

1 government for instruction and other services for persons
2 serving in or with the military or naval forces of the United
3 States, and to provide for audits of such funds;

4 (11) To appoint, subject to the applicable civil service
5 law, persons to be members of the Western Illinois University
6 Police Department. Members of the Police Department shall be
7 conservators of the peace and as such have all powers possessed
8 by policemen in cities, and sheriffs, including the power to
9 make arrests on view or warrants of violations of State
10 statutes, University rules and regulations and city or county
11 ordinances, except that they may exercise such powers only
12 within counties wherein Western Illinois University and any of
13 its branches or properties are located when such is required
14 for the protection of University properties and interests, and
15 its students and personnel, and otherwise, within such
16 counties, when requested by appropriate State or local law
17 enforcement officials. However, such officers shall have no
18 power to serve and execute civil processes.

19 The Board must authorize to each member of the Western
20 Illinois University Police Department and to any other employee
21 of Western Illinois University exercising the powers of a peace
22 officer a distinct badge that, on its face, (i) clearly states
23 that the badge is authorized by Western Illinois University and
24 (ii) contains a unique identifying number. No other badge shall
25 be authorized by Western Illinois University;

26 (12) The Board may, directly or in cooperation with other

1 institutions of higher education, acquire by purchase or lease
2 or otherwise, and construct, enlarge, improve, equip,
3 complete, operate, control and manage research and high
4 technology parks, together with the necessary lands,
5 buildings, facilities, equipment, and personal property
6 therefor, to encourage and facilitate (i) the location and
7 development of business and industry in the State of Illinois,
8 and (ii) the increased application and development of
9 technology, and (iii) the improvement and development of the
10 State's economy. The Board may lease to nonprofit corporations
11 all or any part of the land, buildings, facilities, equipment
12 or other property included in a research and high technology
13 park upon such terms and conditions as the Board may deem
14 advisable and enter into any contract or agreement with such
15 nonprofit corporations as may be necessary or suitable for the
16 construction, financing, operation and maintenance and
17 management of any such park; and may lease to any person, firm,
18 partnership or corporation, either public or private, any part
19 or all of the land, building, facilities, equipment or other
20 property of such park for such purposes and upon such rentals,
21 terms and conditions as the Board may deem advisable; and may
22 finance all or part of the cost of any such park, including the
23 purchase, lease, construction, reconstruction, improvement,
24 remodeling, addition to, and extension and maintenance of all
25 or part of such high technology park, and all equipment and
26 furnishings, by legislative appropriations, government grants,

1 contracts, private gifts, loans, receipts from the operation of
2 such high technology park, rentals and similar receipts; and
3 may make its other facilities and services available to tenants
4 or other occupants of any such park at rates which are
5 reasonable and appropriate;

6 (13) To borrow money, as necessary, from time to time in
7 anticipation of receiving tuition, payments from the State of
8 Illinois, or other revenues or receipts of the University, also
9 known as anticipated moneys. The borrowing limit shall be
10 capped at 100% of the total amount of payroll and other expense
11 vouchers submitted and payable to the University for fiscal
12 year 2010 expenses, but unpaid by ~~at~~ the State Comptroller's
13 office. Prior to borrowing any funds, the University shall
14 request from the Comptroller's office a verification of the
15 borrowing limit and shall include the estimated date on which
16 such borrowing shall occur. The borrowing limit cap shall be
17 verified by the State Comptroller's office not prior to 45 days
18 before any estimated date for executing any promissory note or
19 line of credit established under this item (13). The principal
20 amount borrowed under a promissory note or line of credit shall
21 not exceed 75% of the borrowing limit. Within 15 days after
22 borrowing funds under any promissory note or line of credit
23 established under this item (13), the University shall submit
24 to the Governor's Office of Management and Budget, the Speaker
25 of the House of Representatives, the Minority Leader of the
26 House of Representatives, the President of the Senate, and the

1 Minority Leader of the Senate, an Emergency Short Term Cash
2 Management Plan. The Emergency Short Term Cash Management Plan
3 shall outline the amount borrowed, the terms for repayment, the
4 amount of outstanding State vouchers as verified by the State
5 Comptroller's office, and the University's plan for
6 expenditure of any borrowed funds, including, but not limited
7 to, a detailed plan to meet payroll obligations to include
8 collective bargaining employees, civil service employees, and
9 academic, research, and health care personnel. The
10 establishment of any promissory note or line of credit
11 established under this item (13) must be finalized within 90
12 days after the effective date of this amendatory Act of the
13 96th General Assembly. The borrowed moneys shall be applied to
14 the purposes of paying salaries and other expenses lawfully
15 authorized in the University's State appropriation and unpaid
16 by the State Comptroller. Any line of credit established under
17 this item (13) shall be paid in full one year after creation or
18 within 10 days after the date the University receives
19 reimbursement from the State for all submitted fiscal year 2010
20 vouchers, whichever is earlier. Any promissory note
21 established under this item (13) shall be repaid within one
22 year after issuance of the note. The Chairman, Comptroller, or
23 Treasurer of the Board shall execute a promissory note or
24 similar debt instrument to evidence the indebtedness incurred
25 by the borrowing. In connection with a borrowing, the Board may
26 establish a line of credit with a financial institution,

1 investment bank, or broker/dealer. The obligation to make the
2 payments due under any promissory note or line of credit
3 established under this item (13) shall be a lawful obligation
4 of the University payable from the anticipated moneys. Any
5 borrowing under this item (13) shall not constitute a debt,
6 legal or moral, of the State and shall not be enforceable
7 against the State. The promissory note or line of credit shall
8 be authorized by a resolution passed by the Board and shall be
9 valid whether or not a budgeted item with respect to that
10 resolution is included in any annual or supplemental budget
11 adopted by the Board. The resolution shall set forth facts
12 demonstrating the need for the borrowing, state an amount that
13 the amount to be borrowed will not exceed, and establish a
14 maximum interest rate limit not to exceed the maximum rate
15 authorized by the Bond Authorization Act or 9%, whichever is
16 less. The resolution may direct the Comptroller or Treasurer of
17 the Board to make arrangements to set apart and hold the
18 portion of the anticipated moneys, as received, that shall be
19 used to repay the borrowing, subject to any prior pledges or
20 restrictions with respect to the anticipated moneys. The
21 resolution may also authorize the Treasurer of the Board to
22 make partial repayments of the borrowing as the anticipated
23 moneys become available and may contain any other terms,
24 restrictions, or limitations not inconsistent with the powers
25 of the Board.

26 For the purposes of this item (13), "financial institution"

1 means any bank subject to the Illinois Banking Act, any savings
2 and loan association subject to the Illinois Savings and Loan
3 Act of 1985, and any federally chartered commercial bank or
4 savings and loan association or government-sponsored
5 enterprise organized and operated in this State pursuant to the
6 laws of the United States.

7 (Source: P.A. 96-909, eff. 6-8-10; revised 6-15-10.)

8 (110 ILCS 690/35-125)

9 Sec. 35-125. Limitation on tuition and fee increase.

10 (a) This subsection (a) ~~Section~~ applies only to those
11 students who first enroll after the 2003-2004 academic year.
12 This subsection (a) does not apply beginning with the 2011-2012
13 academic year. For 4 continuous academic years following
14 initial enrollment (or for undergraduate programs that require
15 more than 4 years to complete, for the normal time to complete
16 the program, as determined by the University), the tuition
17 charged an undergraduate student who is an Illinois resident
18 shall not exceed the amount that the student was charged at the
19 time he or she first enrolled in the University. However, if
20 the student changes majors during this time period, the tuition
21 charged the student shall equal the amount the student would
22 have been charged had he or she been admitted to the changed
23 major when he or she first enrolled. An undergraduate student
24 who is an Illinois resident and who has for 4 continuous
25 academic years been charged no more than the tuition amount

1 that he or she was charged at the time he or she first enrolled
2 in the University shall be charged tuition not to exceed the
3 amount the University charged students who first enrolled in
4 the University for the academic year following the academic
5 year the student first enrolled in the University for a maximum
6 of 2 additional continuous academic years.

7 (b) Notwithstanding any other provision of law to the
8 contrary, for the 2011-2012 academic year and each academic
9 year thereafter, the tuition and fee rates for undergraduate
10 and graduate resident and non-resident students must be equal
11 to the tuition and fee rates in effect for the 2010-2011
12 academic year or such lesser or greater amount as may be
13 established by law by the General Assembly.

14 (Source: P.A. 96-1293, eff. 7-26-10.)

15 Section 50. The Public Community College Act is amended by
16 changing Section 6-4 as follows:

17 (110 ILCS 805/6-4) (from Ch. 122, par. 106-4)

18 Sec. 6-4. Rates ~~Variable rates~~ and fees; limitation on
19 increase. Notwithstanding any other provision of law to the
20 contrary, for the 2011-2012 academic year and each academic
21 year thereafter, the tuition and fee rates for resident and
22 non-resident students must be equal to the tuition and fee
23 rates in effect for the 2010-2011 academic year or such lesser
24 or greater amount as may be established by law by the General

1 ~~Assembly. Any community college district, by resolution of the~~
2 ~~board, may establish variable tuition rates and fees for~~
3 ~~students attending its college in an amount not to exceed 1/3~~
4 ~~of the per capita cost as defined in Section 6-2, provided that~~
5 ~~voluntary contributions, as defined in Section 65 of the Higher~~
6 ~~Education Student Assistance Act, shall not be included in any~~
7 ~~calculation of community college tuition and fee rates for the~~
8 ~~purpose of this Section.~~

9 (Source: P.A. 90-14, eff. 7-1-97.)

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