



Rep. Maurice A. West, II

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10400HB1237ham001

LRB104 06188 LNS 23278 a

1 AMENDMENT TO HOUSE BILL 1237

2 AMENDMENT NO. _____. Amend House Bill 1237 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Sections
5 10-20.88 and 34-18.88 as follows:

6 (105 ILCS 5/10-20.88 new)

7 Sec. 10-20.88. Native name, logo, or mascot.

8 (a) As used in this Section, "native name, logo, or
9 mascot" means a team name, including:

10 (1) the name of a federally recognized tribe;

11 (2) a historical Native American person or tribal
12 group;

13 (3) Redskins, Braves, Chiefs, Chieftains, Tribe,
14 Indians, or any synonymous term, logo, or mascot depicting
15 Native Americans;

16 (4) a feathered headdress;

1 (5) a tomahawk;

2 (6) an arrowhead; or

3 (7) a spear, arrow, or other weapon if in combination
4 with a feather or feathers.

5 (b) A school board shall prohibit a school from using a
6 native name, logo, or mascot, except as provided in
7 subsections (c) and (d).

8 (c) A school may continue to use uniforms or other
9 materials bearing a native name, logo, or mascot that were
10 purchased on or before the effective date of this amendatory
11 Act of the 104th General Assembly until September 1, 2028 if
12 all the following requirements are met:

13 (1) The school selects a new school or athletic team
14 name, logo, or mascot that does not violate the
15 prohibition under subsection (b).

16 (2) The school refrains from purchasing, acquiring, or
17 using resources for the purpose of distribution or sale to
18 pupils or school employees any uniform that includes or
19 bears the prohibited school or athletic team name, logo,
20 or mascot.

21 (3) The school refrains from purchasing, acquiring, or
22 using resources for the purpose of distribution or sale to
23 pupils or school employees any yearbook, newspaper,
24 program, or other tangible material that includes or bears
25 the prohibited school or athletic team name, logo, or
26 mascot in the logo or title of the yearbook, newspaper,

1 program, or other tangible material.

2 (4) If a school facility bears the prohibited school
3 or athletic team name, logo, or mascot, the school removes
4 the prohibited name, logo, or mascot no later than the
5 next time that part of the facility where the name, logo,
6 or mascot is located is remodeled or replaced in the
7 normal course of maintenance and the school refrains from
8 purchasing or constructing a marquee, sign, or other new
9 or replacement fixture that includes or bears the
10 prohibited school or athletic team name, logo, or mascot.

11 (d) For any school whose team name is the name of a
12 federally recognized tribe or historical Native American
13 person, the school may continue to use its current team name
14 and an agreed upon logo and mascot on and after the effective
15 date of this amendatory Act of the 104th General Assembly if
16 all of the following conditions are met:

17 (1) Written consent must be obtained from the elected
18 legislative body of the same federally recognized tribe as
19 the team name or the federally recognized tribe from which
20 the historical Native American person was a member,
21 indicating support for the name, logo, and mascot.

22 (2) The written consent shall include a description of
23 the partnership with this federally recognized tribe to
24 provide deep, meaningful, and substantive learning
25 opportunities, as well as school policies that ensure
26 blatant, stereotypical, Native American names, slurs,

1 imagery, or caricatures or fake Native American behaviors
2 are not allowed in learning environments.

3 (3) The school or its grantors, such as a booster
4 club, parent-teacher organization, or local school
5 council, do not offer or accept any money, consideration,
6 or thing of value in exchange for the written consent.

7 (4) The written consent must be renewed every 5 years.
8 The federally recognized tribe shall have the right and
9 ability to revoke the written consent at any time at its
10 discretion. If either party wishes to terminate the
11 agreement, the school has one year from the date of
12 termination to discontinue its use of the native name,
13 logo, or mascot.

14 (e) Nothing in this Section may be interpreted to prohibit
15 county, municipality, or school district names.

16 (105 ILCS 5/34-18.88 new)

17 Sec. 34-18.88. Native name, logo, or mascot.

18 (a) As used in this Section, "native name, logo, or
19 mascot" means a team name, including:

20 (1) the name of a federally recognized tribe;

21 (2) a historical Native American person or tribal
22 group;

23 (3) Redskins, Braves, Chiefs, Chieftains, Tribe,
24 Indians, or any synonymous term, logo, or mascot depicting
25 Native Americans;

1 (4) a feathered headdress;

2 (5) a tomahawk;

3 (6) an arrowhead; or

4 (7) a spear, arrow, or other weapon if in combination
5 with a feather or feathers.

6 (b) The board shall prohibit a school from using a native
7 name, logo, or mascot, except as provided in subsections (c)
8 and (d).

9 (c) A school may continue to use uniforms or other
10 materials bearing a native name, logo, or mascot that were
11 purchased on or before the effective date of this amendatory
12 Act of the 104th General Assembly until September 1, 2028 if
13 all the following requirements are met:

14 (1) The school selects a new school or athletic team
15 name, logo, or mascot that does not violate the
16 prohibition under subsection (b).

17 (2) The school refrains from purchasing, acquiring, or
18 using resources for the purpose of distribution or sale to
19 pupils or school employees any uniform that includes or
20 bears the prohibited school or athletic team name, logo,
21 or mascot.

22 (3) The school refrains from purchasing, acquiring, or
23 using resources for the purpose of distribution or sale to
24 pupils or school employees any yearbook, newspaper,
25 program, or other tangible material that includes or bears
26 the prohibited school or athletic team name, logo, or

1 mascot in the logo or title of the yearbook, newspaper,
2 program, or other tangible material.

3 (4) If a school facility bears the prohibited school
4 or athletic team name, logo, or mascot, the school removes
5 the prohibited name, logo, or mascot no later than the
6 next time that part of the facility where the name, logo,
7 or mascot is located is remodeled or replaced in the
8 normal course of maintenance and the school refrains from
9 purchasing or constructing a marquee, sign, or other new
10 or replacement fixture that includes or bears the
11 prohibited school or athletic team name, logo, or mascot.

12 (d) For any school whose team name is the name of a
13 federally recognized tribe or historical Native American
14 person, the school may continue to use its current team name
15 and an agreed upon logo and mascot on and after the effective
16 date of this amendatory Act of the 104th General Assembly if
17 all of the following conditions are met:

18 (1) Written consent must be obtained from the elected
19 legislative body of the same federally recognized tribe as
20 the team name or the federally recognized tribe from which
21 the historical Native American person was a member,
22 indicating support for the name, logo, and mascot.

23 (2) The written consent shall include a description of
24 the partnership with this federally recognized tribe to
25 provide deep, meaningful, and substantive learning
26 opportunities, as well as school policies that ensure

1 blatant, stereotypical, Native American names, slurs,
2 imagery, or caricatures or fake Native American behaviors
3 are not allowed in learning environments.

4 (3) The school or its grantors, such as a booster
5 club, parent-teacher organization, or local school
6 council, do not offer or accept any money, consideration,
7 or thing of value in exchange for the written consent.

8 (4) The written consent must be renewed every 5 years.
9 The federally recognized tribe shall have the right and
10 ability to revoke the written consent at any time at its
11 discretion. If either party wishes to terminate the
12 agreement, the school has one year from the date of
13 termination to discontinue its use of the native name,
14 logo, or mascot.

15 (e) Nothing in this Section may be interpreted to prohibit
16 county, municipality, or school district names."