



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3476

Introduced 2/28/2007, by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

105 ILCS 5/30-9	from Ch. 122, par. 30-9
105 ILCS 5/30-10	from Ch. 122, par. 30-10
105 ILCS 5/30-11	from Ch. 122, par. 30-11
105 ILCS 5/30-12.5	
105 ILCS 5/30-13	from Ch. 122, par. 30-13
105 ILCS 5/30-14	from Ch. 122, par. 30-14
30 ILCS 805/8.31 new	

Amends the School Code. Provides that a General Assembly scholarship may be used at a public community college, not just a State university. Amends the State Mandates Act to require implementation without reimbursement. Effective July 1, 2007.

LRB095 11182 NHT 31560 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 30-9, 30-10, 30-11, 30-12.5, 30-13, and 30-14 as follows:

6 (105 ILCS 5/30-9) (from Ch. 122, par. 30-9)

7 Sec. 30-9. General Assembly scholarship; conditions of
8 admission; award by competitive examination.

9 Each member of the General Assembly may nominate annually 2
10 persons of school age and otherwise eligible, from his
11 district; each shall receive a certificate of scholarship in
12 any State supported university or public community college in
13 this State designated by the member. Any member of the General
14 Assembly in making nominations under this Section may designate
15 that his nominee be granted a 4 year scholarship or may instead
16 designate 2 or 4 nominees for that particular scholarship, each
17 to receive a 2 year or a one year scholarship, respectively.
18 The nominee, if a graduate of a school accredited by the
19 University or community college to which nominated, shall be
20 admitted to the university or community college on the same
21 conditions as to educational qualifications as are other
22 graduates of accredited schools. If the nominee is not a
23 graduate of a school accredited by the university or community

1 college to which nominated, he must, before being entitled to
2 the benefits of the scholarship, pass an examination given by
3 the superintendent of schools of the county where he resides at
4 the time stated in Section 30-7 for the competitive
5 examination. The president of each university or community
6 college shall prescribe the rules governing the examination for
7 scholarship to his or her university or community college.

8 A member of the General Assembly may award the scholarship
9 by competitive examination conducted under like rules as
10 prescribed in Section 30-7 even though one or more of the
11 applicants are graduates of schools accredited by the
12 university or community college.

13 A member of the General Assembly may delegate to the
14 Illinois Student Assistance Commission the authority to
15 nominate persons for General Assembly scholarships which that
16 member would otherwise be entitled to award, or may direct the
17 Commission to evaluate and make recommendations to the member
18 concerning candidates for such scholarships. In the event a
19 member delegates his nominating authority or directs the
20 Commission to evaluate and make recommendations concerning
21 candidates for General Assembly scholarships, the member shall
22 inform the Commission in writing of the criteria which he
23 wishes the Commission to apply in nominating or recommending
24 candidates. Those criteria may include some or all of the
25 criteria provided in Section 25 of the Higher Education Student
26 Assistance Act. A delegation of authority under this paragraph

1 may be revoked at any time by the member.

2 Failure of a member of the General Assembly to make a
3 nomination in any year shall not cause that scholarship to
4 lapse, but the member may make a nomination for such
5 scholarship at any time thereafter before the expiration of his
6 term, and the person so nominated shall be entitled to the same
7 benefits as holders of other scholarships provided herein. Any
8 such scholarship for which a member has made no nomination
9 prior to the expiration of the term for which he was elected
10 shall lapse upon the expiration of that term.

11 (Source: P.A. 93-349, eff. 7-24-03.)

12 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

13 Sec. 30-10. Filing nominations-Failure to accept or
14 pass-Second nomination.

15 Nominations, under Section 30-9, showing the name and
16 address of the nominee, and the term of the scholarship,
17 whether 4 years, 2 years or one year, must be filed with the
18 State Superintendent of Education not later than the opening
19 day of the semester or term with which the scholarship is to
20 become effective. The State Superintendent of Education shall
21 forthwith notify the president of the university or community
22 college of such nomination.

23 If the nominee fails to accept the nomination or, not being
24 a graduate of a school accredited by the university or
25 community college, fails to pass the examination for admission,

1 the president of the university or community college shall at
2 once notify the State Superintendent of Education. Upon
3 receiving such notification, the State Superintendent of
4 Education shall notify the nominating member, who may name
5 another person for the scholarship. The second nomination must
6 be received by the State Superintendent of Education not later
7 than the middle of the semester or term with which the
8 scholarship was to have become effective under the original
9 nomination in order to become effective as of the opening date
10 of such semester or term otherwise it shall not become
11 effective until the beginning of the next semester or term
12 following the making of the second nomination. Upon receiving
13 such notification, the State Superintendent of Education shall
14 notify the president of the university or community college of
15 such second nomination. If any person nominated after the
16 effective date of this amendatory Act of 1973 to receive a
17 General Assembly scholarship changes his residence to a
18 location outside of the district from which he was nominated,
19 his nominating member may terminate that scholarship at the
20 conclusion of the college year in which he is then enrolled.
21 For purposes of this paragraph, a person changes his residence
22 if he registers to vote in a location outside of the district
23 from which he was nominated, but does not change his residence
24 merely by taking off-campus housing or living in a
25 nonuniversity residence.

26 (Source: P.A. 93-349, eff. 7-24-03.)

1 (105 ILCS 5/30-11) (from Ch. 122, par. 30-11)

2 Sec. 30-11. Failure to use scholarship - Further
3 nominations. If any nominee under Section 30-9 or 30-10
4 discontinues his course of instruction or fails to use the
5 scholarship, leaving 1, 2, 3, or 4 years thereof unused, the
6 member of the General Assembly may, except as otherwise
7 provided in this Article, nominate some other person eligible
8 under this Article from his district who shall be entitled to
9 the scholarship for the unexpired period thereof. Such
10 appointment to an unexpired scholarship vacated before July 1,
11 1961, may be made only by the member of the General Assembly
12 who made the original appointment and during the time he is
13 such a member. If a scholarship is vacated on or after July 1,
14 1961, and the member of the General Assembly who made the
15 original appointment has ceased to be a member, some eligible
16 person may be nominated in the following manner to fill the
17 vacancy: If the original appointment was made by a Senator,
18 such nomination shall be made by the Senator from the same
19 district; if the original appointment was made by a
20 Representative, such nomination shall be made by the
21 Representative from the same district. Every nomination to fill
22 a vacancy must be accompanied either by a release of the
23 original nominee or if he is dead then an affidavit to that
24 effect by some competent person. The failure of a nominee to
25 register at the university or community college within 20 days

1 after the opening of any semester or term shall be deemed a
2 release by him of the nomination, unless he has been granted a
3 leave of absence in accordance with Section 30-14 or unless his
4 absence is by reason of his entry into the military service of
5 the United States. The university or community college shall
6 immediately upon the expiration of 20 days after the beginning
7 of the semester or term notify the State Board of Education as
8 to the status of each scholarship, who shall forthwith notify
9 the nominating member of any nominee's failure to register or,
10 if the nominating member has ceased to be a member of the
11 General Assembly, shall notify the member or members entitled
12 to make the nomination to fill the vacancy. All nominations to
13 unused or unexpired scholarships shall be effective as of the
14 opening of the semester or term of the university or community
15 college during which they are made if they are filed with the
16 university or community college during the first half of the
17 semester or term, otherwise they shall not be effective until
18 the opening of the next following semester or term.

19 (Source: P.A. 93-349, eff. 7-24-03.)

20 (105 ILCS 5/30-12.5)

21 Sec. 30-12.5. Waiver of confidentiality.

22 (a) As a condition of nomination for a General Assembly
23 scholarship under Section 30-9, 30-10, or 30-11, each nominee
24 shall provide to the member of the General Assembly making the
25 nomination a waiver document stating that, notwithstanding any

1 provision of law to the contrary, if the nominee receives a
2 General Assembly scholarship, then the nominee waives all
3 rights to confidentiality with respect to the contents of the
4 waiver document. The waiver document shall state at a minimum
5 the nominee's name, domicile address, attending university or
6 community college, degree program in which the nominee is
7 enrolled, amount of tuition waived by the legislative
8 scholarship and the name of the member of the General Assembly
9 who is making the nomination. The waiver document shall also
10 contain a statement by the nominee that, at the time of the
11 nomination for the legislative scholarship, the domicile of the
12 nominee is within the legislative district of the legislator
13 making the scholarship nomination. The waiver document must be
14 signed by the nominee, and the nominee shall have his or her
15 signature on the waiver document acknowledged before a notary
16 public. The member of the General Assembly making the
17 nomination shall file the signed, notarized waiver document,
18 together with the nomination itself, with the State
19 Superintendent of Education. By so filing the waiver document,
20 the member waives all his or her rights to confidentiality with
21 respect to the contents of the waiver document.

22 (b) The legislative scholarship of any nominee shall be
23 revoked upon a determination by the State Board of Education
24 after a hearing that the nominee knowingly provided false or
25 misleading information on the waiver document. Upon revocation
26 of the legislative scholarship, the scholarship nominee shall

1 reimburse the university or community college for the full
2 amount of any tuition waived prior to revocation of the
3 scholarship.

4 (c) The Illinois Student Assistance Commission shall
5 prepare a form waiver document to be used as provided in
6 subsection (a) and shall provide copies of the form upon
7 request.

8 (Source: P.A. 93-349, eff. 7-24-03.)

9 (105 ILCS 5/30-13) (from Ch. 122, par. 30-13)

10 Sec. 30-13. The scholarships issued under Sections 30-9
11 through 30-12 of this Article may be used at the University of
12 Illinois, Southern Illinois University, Chicago State
13 University, Eastern Illinois University, Governors State
14 University, Illinois State University, Northeastern Illinois
15 University, Northern Illinois University, ~~and~~ Western Illinois
16 University, or any public community college located in this
17 State, as provided in those sections. Unless otherwise
18 indicated, these scholarships shall be good for a period of not
19 more than 4 years while enrolled for residence credit and shall
20 exempt the holder from the payment of tuition, or any
21 matriculation, graduation, activity, term or incidental fee,
22 except any portion of a multipurpose fee which is used for a
23 purpose for which exemption is not granted under this Section.
24 Exemption shall not be granted from any other fees, including
25 book rental, service, laboratory, supply, union building,

1 hospital and medical insurance fees and any fees established
2 for the operation and maintenance of buildings, the income of
3 which is pledged to the payment of interest and principal on
4 bonds issued by the governing board of any university or
5 community college.

6 Any student who has been or shall be awarded a scholarship
7 shall be reimbursed by the appropriate university or community
8 college for any fees which he has paid and for which exemption
9 is granted under this Section, if application for such
10 reimbursement is made within 2 months following the school term
11 for which the fees were paid.

12 The holder of a scholarship shall be subject to all
13 examinations, rules and requirements of the university or
14 community college in which he is enrolled except as herein
15 directed.

16 This article does not prohibit the Board of Trustees of the
17 University of Illinois, the Board of Trustees of Southern
18 Illinois University, the Board of Trustees of Chicago State
19 University, the Board of Trustees of Eastern Illinois
20 University, the Board of Trustees of Governors State
21 University, the Board of Trustees of Illinois State University,
22 the Board of Trustees of Northern Illinois University, the
23 Board of Trustees of Western Illinois University, and the board
24 of trustees of a community college district ~~the Board of~~
25 ~~Regents of the Regency Universities System and the Board of~~
26 ~~Governors of State Colleges and Universities~~ for the

1 institutions under their respective jurisdictions from
2 granting other scholarships.

3 (Source: P.A. 88-228; 89-4, eff. 1-1-96.)

4 (105 ILCS 5/30-14) (from Ch. 122, par. 30-14)

5 Sec. 30-14. Leaves of absence to holders of scholarships.

6 Any student enrolled in a university or community college
7 to which he is holding a scholarship issued under this Article
8 who satisfies the president of the university or community
9 college or someone designated by him or her, that he or she
10 requires leave of absence for the purpose of earning funds to
11 defray his or her expenses while in attendance or on account of
12 illness or military service may be granted such leave and
13 allowed a period of not to exceed 6 years in which to complete
14 his course at the university or community college. The
15 university or community college shall notify the county
16 superintendent of the county from which the scholarship was
17 issued of the granting of the leave. Time spent in the armed
18 forces shall not be part of the 6 years.

19 (Source: Laws 1961, p. 31.)

20 Section 90. The State Mandates Act is amended by adding
21 Section 8.31 as follows:

22 (30 ILCS 805/8.31 new)

23 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8

1 of this Act, no reimbursement by the State is required for the
2 implementation of any mandate created by this amendatory Act of
3 the 95th General Assembly.

4 Section 99. Effective date. This Act takes effect July 1,
5 2007.