



Rep. Linda Chapa LaVia

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LRB095 11182 NHT 33781 a

1 AMENDMENT TO HOUSE BILL 3476

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3476, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The School Code is amended by changing Sections  
6 30-9, 30-10, 30-11, 30-12.5, 30-13, and 30-14 as follows:

7 (105 ILCS 5/30-9) (from Ch. 122, par. 30-9)

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

10 Each member of the General Assembly may nominate annually 2  
11 persons of school age and otherwise eligible, from his  
12 district; each shall receive a certificate of scholarship in a  
13 any State supported university or public community college in  
14 this State designated by the member. In addition to residing  
15 within the legislative district, in the case of a scholarship  
16 for a community college, the designated community college must

1 be within the community college district where the nominee  
2 resides or the designated community college must have a  
3 reciprocal tuition agreement for in-district rates with the  
4 community college district where the nominee resides. Any  
5 member of the General Assembly in making nominations under this  
6 Section may designate that his nominee be granted a 4 year  
7 scholarship or may instead designate 2 or 4 nominees for that  
8 particular scholarship, each to receive a 2 year or a one year  
9 scholarship, respectively. The nominee, if a graduate of a  
10 school accredited by the University or community college to  
11 which nominated, shall be admitted to the university or  
12 community college on the same conditions as to educational  
13 qualifications as are other graduates of accredited schools. If  
14 the nominee is not a graduate of a school accredited by the  
15 university or community college to which nominated, he must,  
16 before being entitled to the benefits of the scholarship, pass  
17 an examination given by the superintendent of schools of the  
18 county where he resides at the time stated in Section 30-7 for  
19 the competitive examination. The president of each university  
20 or community college shall prescribe the rules governing the  
21 examination for scholarship to his or her university or  
22 community college.

23 A member of the General Assembly may award the scholarship  
24 by competitive examination conducted under like rules as  
25 prescribed in Section 30-7 even though one or more of the  
26 applicants are graduates of schools accredited by the

1 university or community college.

2 A member of the General Assembly may delegate to the  
3 Illinois Student Assistance Commission the authority to  
4 nominate persons for General Assembly scholarships which that  
5 member would otherwise be entitled to award, or may direct the  
6 Commission to evaluate and make recommendations to the member  
7 concerning candidates for such scholarships. In the event a  
8 member delegates his nominating authority or directs the  
9 Commission to evaluate and make recommendations concerning  
10 candidates for General Assembly scholarships, the member shall  
11 inform the Commission in writing of the criteria which he  
12 wishes the Commission to apply in nominating or recommending  
13 candidates. Those criteria may include some or all of the  
14 criteria provided in Section 25 of the Higher Education Student  
15 Assistance Act. A delegation of authority under this paragraph  
16 may be revoked at any time by the member.

17 Failure of a member of the General Assembly to make a  
18 nomination in any year shall not cause that scholarship to  
19 lapse, but the member may make a nomination for such  
20 scholarship at any time thereafter before the expiration of his  
21 term, and the person so nominated shall be entitled to the same  
22 benefits as holders of other scholarships provided herein. Any  
23 such scholarship for which a member has made no nomination  
24 prior to the expiration of the term for which he was elected  
25 shall lapse upon the expiration of that term.

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

1 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

2 Sec. 30-10. Filing nominations-Failure to accept or  
3 pass-Second nomination.

4 Nominations, under Section 30-9, showing the name and  
5 address of the nominee, and the term of the scholarship,  
6 whether 4 years, 2 years or one year, must be filed with the  
7 State Superintendent of Education not later than the opening  
8 day of the semester or term with which the scholarship is to  
9 become effective. The State Superintendent of Education shall  
10 forthwith notify the president of the university or community  
11 college of such nomination.

12 If the nominee fails to accept the nomination or, not being  
13 a graduate of a school accredited by the university or  
14 community college, fails to pass the examination for admission,  
15 the president of the university or community college shall at  
16 once notify the State Superintendent of Education. Upon  
17 receiving such notification, the State Superintendent of  
18 Education shall notify the nominating member, who may name  
19 another person for the scholarship. The second nomination must  
20 be received by the State Superintendent of Education not later  
21 than the middle of the semester or term with which the  
22 scholarship was to have become effective under the original  
23 nomination in order to become effective as of the opening date  
24 of such semester or term otherwise it shall not become  
25 effective until the beginning of the next semester or term

1 following the making of the second nomination. Upon receiving  
2 such notification, the State Superintendent of Education shall  
3 notify the president of the university or community college of  
4 such second nomination. If any person nominated after the  
5 effective date of this amendatory Act of 1973 to receive a  
6 General Assembly scholarship changes his residence to a  
7 location outside of the district from which he was nominated,  
8 his nominating member may terminate that scholarship at the  
9 conclusion of the college year in which he is then enrolled.  
10 For purposes of this paragraph, a person changes his residence  
11 if he registers to vote in a location outside of the district  
12 from which he was nominated, but does not change his residence  
13 merely by taking off-campus housing or living in a  
14 nonuniversity or non-community college residence. In addition,  
15 in the case of a scholarship for a community college, if the  
16 nominee changes his or her residence to a location outside of  
17 the community college district where he or she was residing and  
18 the designated community college does not have a reciprocal  
19 tuition agreement for in-district rates with the community  
20 college district where the nominee now resides, then the  
21 nominating member may terminate the scholarship at the  
22 conclusion of the college year in which the nominee is then  
23 enrolled.

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

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

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

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

18 (105 ILCS 5/30-12.5)

19 Sec. 30-12.5. Waiver of confidentiality.

20 (a) As a condition of nomination for a General Assembly  
21 scholarship under Section 30-9, 30-10, or 30-11, each nominee  
22 shall provide to the member of the General Assembly making the  
23 nomination a waiver document stating that, notwithstanding any  
24 provision of law to the contrary, if the nominee receives a  
25 General Assembly scholarship, then the nominee waives all

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

20 (b) The legislative scholarship of any nominee shall be  
21 revoked upon a determination by the State Board of Education  
22 after a hearing that the nominee knowingly provided false or  
23 misleading information on the waiver document. Upon revocation  
24 of the legislative scholarship, the scholarship nominee shall  
25 reimburse the university or community college for the full  
26 amount of any tuition waived prior to revocation of the



1 scholarship.

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

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

7 (105 ILCS 5/30-13) (from Ch. 122, par. 30-13)

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

1 which is pledged to the payment of interest and principal on  
2 bonds issued by the governing board of any university or  
3 community college.

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

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

14 This article does not prohibit the Board of Trustees of the  
15 University of Illinois, the Board of Trustees of Southern  
16 Illinois University, the Board of Trustees of Chicago State  
17 University, the Board of Trustees of Eastern Illinois  
18 University, the Board of Trustees of Governors State  
19 University, the Board of Trustees of Illinois State University,  
20 the Board of Trustees of Northern Illinois University, the  
21 Board of Trustees of Western Illinois University, and the board  
22 of trustees of a community college district ~~the Board of~~  
23 ~~Regents of the Regency Universities System and the Board of~~  
24 ~~Governors of State Colleges and Universities~~ for the  
25 institutions under their respective jurisdictions from  
26 granting other scholarships.

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

2 (105 ILCS 5/30-14) (from Ch. 122, par. 30-14)

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

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

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

18 Section 90. The State Mandates Act is amended by adding  
19 Section 8.31 as follows:

20 (30 ILCS 805/8.31 new)

21 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8  
22 of this Act, no reimbursement by the State is required for the  
23 implementation of any mandate created by this amendatory Act of

1 the 95th General Assembly.

2           Section 99. Effective date. This Act takes effect July 1,  
3 2007.".