



Higher Education Committee

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09500HB4790ham001

LRB095 18245 NHT 47429 a

1 AMENDMENT TO HOUSE BILL 4790

2 AMENDMENT NO. _____. Amend House Bill 4790 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Baccalaureate Savings Act is amended by
5 changing Section 8 as follows:

6 (110 ILCS 920/8) (from Ch. 144, par. 2408)

7 Sec. 8. Grant Program. The proceedings of the Governor and
8 the Director of the Governor's Office of Management and Budget
9 authorizing the issuance of College Savings Bonds shall also
10 provide for a grant program of additional financial incentives
11 to be provided to holders of such Bonds to encourage the
12 enrollment of students at Institutions of Higher Education
13 located in the State of Illinois. The Grant Program of
14 financial incentives shall be administered by the State
15 Scholarship Commission pursuant to administrative rules
16 promulgated by the Commission. Such financial incentives shall

1 be in such forms as determined by the Governor and the Director
2 of the Governor's Office of Management and Budget at the time
3 of the authorization of such College Savings Bonds and may
4 include, among others, supplemental payments to the holders of
5 such Bonds at maturity to be applied to tuition costs at
6 institutions of higher education located in the State of
7 Illinois. The Commission may establish, by rule,
8 administrative procedures and eligibility criteria for the
9 Grant Program, provided that such rules are consistent with the
10 purposes of this Act. The Commission may require bond holders,
11 institutions of higher education and other necessary parties to
12 assist in the determination of eligibility for financial
13 incentives under the Grant Program. All grants shall be subject
14 to annual appropriation of funds for such purpose by the
15 General Assembly. There shall be no expiration date placed on
16 grants awarded under this Section, and any person who is denied
17 disbursement of a grant or the full amount of a grant due to a
18 lack of funding shall remain eligible for disbursement of that
19 grant or the remaining amount of that grant until such time as
20 funding becomes available, provided that he or she remains
21 eligible for a grant and properly applies for disbursement of
22 the grant or the remaining amount of the grant on an annual
23 basis. If the amount appropriated in a given fiscal year is
24 insufficient to fully fund all amounts persons eligible to
25 receive a grant are entitled to, then the total amount
26 appropriated must be divided in equal amounts among all

1 eligible grant recipients, unless that amount exceeds the
2 amount a grant recipient is entitled to receive, in which case
3 he or she shall receive the lesser amount. Financial ~~Such~~
4 financial incentives under this Section shall be provided only
5 if, in the sole judgment of the Director of the Governor's
6 Office of Management and Budget, the cost of such incentives
7 shall not cause the cost to the State of the proceeds of the
8 College Savings Bonds being sold to be increased by more than
9 1/2 of 1%. No such financial incentives shall be paid to assist
10 in the financing of the education of a student (i) in a school
11 or department of divinity for any religious denomination or
12 (ii) pursuing a course of study consisting of training to
13 become a minister, priest, rabbi or other professional person
14 in the field of religion.

15 Notwithstanding any other rulemaking authority that may
16 exist, neither the Governor nor any agency or agency head under
17 the jurisdiction of the Governor has any authority to make or
18 promulgate rules to implement or enforce the provisions of this
19 amendatory Act of the 95th General Assembly. If, however, the
20 Governor believes that rules are necessary to implement or
21 enforce the provisions of this amendatory Act of the 95th
22 General Assembly, the Governor may suggest rules to the General
23 Assembly by filing them with the Clerk of the House and the
24 Secretary of the Senate and by requesting that the General
25 Assembly authorize such rulemaking by law, enact those
26 suggested rules into law, or take any other appropriate action

1 in the General Assembly's discretion. Nothing contained in this
2 amendatory Act of the 95th General Assembly shall be
3 interpreted to grant rulemaking authority under any other
4 Illinois statute where such authority is not otherwise
5 explicitly given. For the purposes of this amendatory Act of
6 the 95th General Assembly, "rules" is given the meaning
7 contained in Section 1-70 of the Illinois Administrative
8 Procedure Act, and "agency" and "agency head" are given the
9 meanings contained in Sections 1-20 and 1-25 of the Illinois
10 Administrative Procedure Act to the extent that such
11 definitions apply to agencies or agency heads under the
12 jurisdiction of the Governor.

13 (Source: P.A. 94-793, eff. 5-19-06.)

14 Section 99. Effective date. This Act takes effect July 1,
15 2008."