



Sen. John J. Cullerton

**Filed: 2/24/2010**

09600SB0365sam001

LRB096 06396 MJR 37653 a

1 AMENDMENT TO SENATE BILL 365

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 365 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 30-9, 30-10, and 30-12.5 and by adding Section 30-12.7 as  
6 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  
13 any State supported university designated by the member. Any  
14 member of the General Assembly in making nominations under this  
15 Section may designate that his nominee be granted a 4 year  
16 scholarship or may instead designate 2 or 4 nominees for that

1 particular scholarship, each to receive a 2 year or a one year  
2 scholarship, respectively. The nominee, if a graduate of a  
3 school accredited by the University to which nominated, shall  
4 be admitted to the university on the same conditions as to  
5 educational qualifications as are other graduates of  
6 accredited schools. If the nominee is not a graduate of a  
7 school accredited by the university to which nominated, he  
8 must, before being entitled to the benefits of the scholarship,  
9 pass an examination given by the superintendent of schools of  
10 the county where he resides at the time stated in Section 30-7  
11 for the competitive examination. The president of each  
12 university shall prescribe the rules governing the examination  
13 for scholarship to his university.

14 A member of the General Assembly may award the scholarship  
15 by competitive examination conducted under like rules as  
16 prescribed in Section 30-7 even though one or more of the  
17 applicants are graduates of schools accredited by the  
18 university.

19 A member of the General Assembly may delegate to the  
20 Illinois Student Assistance Commission the authority to  
21 nominate persons for General Assembly scholarships which that  
22 member would otherwise be entitled to award, or may direct the  
23 Commission to evaluate and make recommendations to the member  
24 concerning candidates for such scholarships. In the event a  
25 member delegates his nominating authority or directs the  
26 Commission to evaluate and make recommendations concerning

1 candidates for General Assembly scholarships, the member shall  
2 inform the Commission in writing of the criteria which he  
3 wishes the Commission to apply in nominating or recommending  
4 candidates. Those criteria may include some or all of the  
5 criteria provided in Section 25 of the Higher Education Student  
6 Assistance Act. A delegation of authority under this paragraph  
7 may be revoked at any time by the member.

8 A member of the General Assembly may forfeit the privilege  
9 of nominating persons for one or more scholarships in any year  
10 by so notifying the State Board of Education in writing. If not  
11 forfeited, then failure ~~Failure~~ of a member of the General  
12 Assembly to make a nomination in any year shall not cause that  
13 scholarship to lapse, but the member may make a nomination for  
14 such scholarship at any time thereafter before the expiration  
15 of his term, and the person so nominated shall be entitled to  
16 the same benefits as holders of other scholarships provided  
17 herein. Any such scholarship for which a member has made no  
18 nomination prior to the expiration of the term for which he was  
19 elected shall lapse upon the expiration of that term.

20 No member of the General Assembly shall nominate a person  
21 for a scholarship under this Section if that person or an  
22 immediate family member has made a contribution, as defined in  
23 the Election Code, during the then current calendar year or any  
24 of the previous 5 calendar years to a candidate political  
25 committee, as defined in the Election Code, of the member;  
26 except that this restriction does not apply to contributions

1 made before the effective date of this amendatory Act of the  
2 96th General Assembly. No person or an immediate family member  
3 shall make a contribution, as defined by the Election Code,  
4 during any calendar year for which a scholarship has been  
5 awarded or any of the 5 following calendar years to a candidate  
6 political committee, as defined in the Election Code, of the  
7 member; except that this restriction does not apply to  
8 contributions made before the effective date of this amendatory  
9 Act of the 96th General Assembly. For the purposes of this  
10 Section and Sections 30-12.5 and 30-12.7, "immediate family  
11 member" means a spouse, parent, or any person living with a  
12 parent of the person seeking or awarded a General Assembly  
13 scholarship. A member of the General Assembly is prohibited  
14 from nominating a person for a scholarship under this Section  
15 if that person has not already been admitted to a  
16 State-supported university.

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

18 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

19 Sec. 30-10. Filing nominations-Failure to accept or  
20 pass-Second nomination.

21 Nominations, under Section 30-9, showing the name and  
22 address of the nominee, and the term of the scholarship,  
23 whether 4 years, 2 years or one year, must be filed with the  
24 State Superintendent of Education not later than the opening  
25 day of the semester or term with which the scholarship is to

1 become effective. The State Superintendent of Education shall  
2 forthwith notify the president of the university of such  
3 nomination.

4 If the nominee fails to accept the nomination or, not being  
5 a graduate of a school accredited by the university, fails to  
6 pass the examination for admission, the president of the  
7 university shall at once notify the State Superintendent of  
8 Education. Upon receiving such notification, the State  
9 Superintendent of Education shall notify the nominating  
10 member, who may name another person for the scholarship. The  
11 second nomination must be received by the State Superintendent  
12 of Education not later than the middle of the semester or term  
13 with which the scholarship was to have become effective under  
14 the original nomination in order to become effective as of the  
15 opening date of such semester or term otherwise it shall not  
16 become effective until the beginning of the next semester or  
17 term following the making of the second nomination. Upon  
18 receiving such notification, the State Superintendent of  
19 Education shall notify the president of the university of such  
20 second nomination. If any person nominated after the effective  
21 date of this amendatory Act of 1973 to receive a General  
22 Assembly scholarship changes his residence to a location  
23 outside of the district from which he was nominated, his  
24 nominating member shall ~~may~~ terminate that scholarship at the  
25 conclusion of the college year in which he is then enrolled.  
26 For purposes of this paragraph, a person changes his residence

1 if he registers to vote in a location outside of the district  
2 from which he was nominated, but does not change his residence  
3 merely by taking off-campus housing or living in a  
4 nonuniversity residence.

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

6 (105 ILCS 5/30-12.5)

7 Sec. 30-12.5. Waiver of confidentiality.

8 (a) As a condition of nomination for a General Assembly  
9 scholarship under Section 30-9, 30-10, or 30-11, each nominee  
10 shall provide to the member of the General Assembly making the  
11 nomination a waiver document stating that, notwithstanding any  
12 provision of law to the contrary, if the nominee receives a  
13 General Assembly scholarship, then the nominee waives all  
14 rights to confidentiality with respect to the contents of the  
15 waiver document. The waiver document shall state at a minimum  
16 the nominee's name, domicile address, attending university,  
17 degree program in which the nominee is enrolled, amount of  
18 tuition waived by the legislative scholarship and the name of  
19 the member of the General Assembly who is making the  
20 nomination. The waiver document shall also contain a statement  
21 by the nominee that, at the time of the nomination for the  
22 legislative scholarship, the domicile of the nominee is within  
23 the legislative district of the legislator making the  
24 scholarship nomination. The waiver document shall contain a  
25 statement by the nominee that the nominee has been admitted to

1 a State-supported university. The waiver document shall also  
2 contain a statement by the nominee that neither the nominee nor  
3 an immediate family member has made a contribution in violation  
4 of Section 30-9. The waiver document must be signed by the  
5 nominee, and the nominee shall have his or her signature on the  
6 waiver document acknowledged before a notary public. The waiver  
7 document must be accompanied by an affidavit or certification  
8 as provided by Section 1-109 of the Code of Civil Procedure.  
9 The member of the General Assembly making the nomination shall  
10 file the signed, notarized waiver document, together with the  
11 nomination itself, with the State Superintendent of Education.  
12 By so filing the waiver document, the member waives all his or  
13 her rights to confidentiality with respect to the contents of  
14 the waiver document.

15 (b) The legislative scholarship of any nominee shall be  
16 revoked upon a determination by the State Board of Education  
17 after a hearing that the nominee knowingly provided false or  
18 misleading information on the waiver document. Upon revocation  
19 of the legislative scholarship, the scholarship nominee shall  
20 reimburse the university for the full amount of any tuition  
21 waived prior to revocation of the scholarship.

22 (c) The Illinois Student Assistance Commission shall  
23 prepare a form waiver document to be used as provided in  
24 subsection (a) and shall provide copies of the form upon  
25 request.

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

1 (105 ILCS 5/30-12.7 new)

2 Sec. 30-12.7. Annual scholarship information document.

3 (a) As a condition of nomination for a General Assembly  
4 scholarship under Section 30-9, 30-10, or 30-11 of this Code,  
5 each nominee in receipt of a multi-year scholarship shall  
6 annually provide to the State Board of Education a scholarship  
7 information document. The document shall state, at a minimum,  
8 the nominee's name, domicile address, attending university,  
9 degree program in which the nominee is enrolled, amount of  
10 tuition waived by the legislative scholarship, and the name of  
11 the member of the General Assembly who is making the  
12 nomination. The document shall also contain a statement by the  
13 nominee that the domicile of the nominee is within the  
14 legislative district of the legislator making the scholarship  
15 nomination. The document shall also contain a statement by the  
16 nominee that neither the nominee nor an immediate family member  
17 has made a contribution in violation of Section 30-9. The  
18 document must be signed by the nominee. The document must be  
19 accompanied by an affidavit or certification as provided by  
20 Section 1-109 of the Code of Civil Procedure.

21 (b) The State Board of Education shall promptly mail a copy  
22 of a nominee's scholarship information document to the member  
23 of the General Assembly who made that nomination.

24 (c) The legislative scholarship of any nominee shall be  
25 revoked upon a determination by the State Board of Education

1 after a hearing that the nominee knowingly provided false or  
2 misleading information on the document. Upon revocation of the  
3 legislative scholarship, the scholarship nominee shall  
4 reimburse the University for the full amount of any tuition  
5 waived prior to revocation of the scholarship.

6 (d) The Illinois Student Assistance Commission shall  
7 prepare a form document to be used as provided in subsection  
8 (a) of this Section and shall provide copies of the form upon  
9 request.

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