

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 30-9, 30-10, 30-11, 30-12, 30-12.5, and 30-13 and by adding Section 30-13.5 as follows:

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

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

~~Each member of the General Assembly may nominate annually 2 persons of school age and otherwise eligible, from his district; each shall receive a certificate of scholarship in any State supported university designated by the member. Any member of the General Assembly in making nominations under this Section may designate that his nominee be granted a 4 year scholarship or may instead designate 2 or 4 nominees for that particular scholarship, each to receive a 2 year or a one year scholarship, respectively. The nominee, if a graduate of a school accredited by the University to which nominated, shall be admitted to the university on the same conditions as to educational qualifications as are other graduates of accredited schools. If the nominee is not a graduate of a school accredited by the university to which nominated, he~~

~~must, before being entitled to the benefits of the scholarship, pass an examination given by the superintendent of schools of the county where he resides at the time stated in Section 30-7 for the competitive examination. The president of each university shall prescribe the rules governing the examination for scholarship to his university.~~

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

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

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

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

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

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

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

~~If the nominee fails to accept the nomination or, not being a graduate of a school accredited by the university, fails to pass the examination for admission, the president of the university shall at once notify the State Superintendent of~~

~~Education. Upon receiving such notification, the State Superintendent of Education shall notify the nominating member, who may name another person for the scholarship. The second nomination must be received by the State Superintendent of Education not later than the middle of the semester or term with which the scholarship was to have become effective under the original nomination in order to become effective as of the opening date of such semester or term otherwise it shall not become effective until the beginning of the next semester or term following the making of the second nomination. Upon receiving such notification, the State Superintendent of Education shall notify the president of the university of such second nomination. If any person nominated after the effective date of this amendatory Act of 1973 to receive a General Assembly scholarship changes his residence to a location outside of the district from which he was nominated, his nominating member may terminate that scholarship at the conclusion of the college year in which he is then enrolled. For purposes of this paragraph, a person changes his residence if he registers to vote in a location outside of the district from which he was nominated, but does not change his residence merely by taking off campus housing or living in a nonuniversity residence.~~

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

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

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

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

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

Sec. 30-12. Failure to begin or discontinuance of course because of military service.

~~Any nominee, under Sections 30-9, 30-10, or 30-11, who fails to begin or discontinues his course of instruction because of his entry into the military service of the United States, leaving all or a portion of the scholarship unused, may, upon completion of such service, use the scholarship or the unused portion thereof, regardless of whether or not the~~

~~member of the General Assembly who nominated him is then a member; provided that during the nominee's period of military service no other person may be nominated by such member to all or any portion of such unused or unfinished scholarship unless the nomination is accompanied either by a release of the original nominee or if he is dead then an affidavit to that effect by some competent person.~~

(Source: Laws 1961, p. 31.)

(105 ILCS 5/30-12.5)

Sec. 30-12.5. Waiver of confidentiality.

~~(a) As a condition of nomination for a General Assembly scholarship under Section 30-9, 30-10, or 30-11, each nominee shall provide to the member of the General Assembly making the nomination a waiver document stating that, notwithstanding any provision of law to the contrary, if the nominee receives a General Assembly scholarship, then the nominee waives all rights to confidentiality with respect to the contents of the waiver document. The waiver document shall state at a minimum the nominee's name, domicile address, attending university, degree program in which the nominee is enrolled, amount of tuition waived by the legislative scholarship and the name of the member of the General Assembly who is making the nomination. The waiver document shall also contain a statement by the nominee that, at the time of the nomination for the legislative scholarship, the domicile of the nominee is within~~

~~the legislative district of the legislator making the scholarship nomination. The waiver document must be signed by the nominee, and the nominee shall have his or her signature on the waiver document acknowledged before a notary public. The member of the General Assembly making the nomination shall file the signed, notarized waiver document, together with the nomination itself, with the State Superintendent of Education. By so filing the waiver document, the member waives all his or her rights to confidentiality with respect to the contents of the waiver document.~~

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

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

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

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

Sec. 30-13. Use of scholarship at public university. ~~The scholarships issued under Sections 30 9 through 30 12 of this~~

~~Article may be used at the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, and Western Illinois University as provided in those sections. Unless otherwise indicated, these scholarships shall be good for a period of not more than 4 years while enrolled for residence credit and shall exempt the holder from the payment of tuition, or any matriculation, graduation, activity, term or incidental fee, except any portion of a multipurpose fee which is used for a purpose for which exemption is not granted under this Section. Exemption shall not be granted from any other fees, including book rental, service, laboratory, supply, union building, hospital and medical insurance fees and any fees established for the operation and maintenance of buildings, the income of which is pledged to the payment of interest and principal on bonds issued by the governing board of any university or community college.~~

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

~~The holder of a scholarship shall be subject to all~~

~~examinations, rules and requirements of the university or community college in which he is enrolled except as herein directed.~~

~~This article does not prohibit the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Regents of the Regency Universities System and the Board of Governors of State Colleges and Universities for the institutions under their respective jurisdictions from granting other scholarships.~~

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

(105 ILCS 5/30-13.5 new)

Sec. 30-13.5. General Assembly scholarship program abolished. Before September 1, 2012, each member of the General Assembly may nominate persons to receive a scholarship or certificate of scholarship under Sections 30-9, 30-10, 30-11, 30-12, 30-12.5, and 30-13 of this Code as they existed before the effective date of this amendatory Act of the 97th General Assembly. A person nominated to receive or awarded such a scholarship or certificate before September 1, 2012 is entitled to the scholarship under the terms of Sections 30-9, 30-10, 30-11, 30-12, 30-12.5, and 30-13 of this Code as they existed before the effective date of this amendatory Act of the 97th General Assembly and Section 30-14 of this Code.

Section 10. The Board of Higher Education Act is amended by

changing Section 9.29 as follows:

(110 ILCS 205/9.29)

Sec. 9.29. Tuition and fee waiver report and task force.

(a) The Board of Higher Education shall annually compile information concerning tuition and fee waivers and tuition and fee waiver programs that has been provided by the Boards of Trustees of the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, and Western Illinois University and shall report its findings and recommendations concerning tuition and fee waivers and tuition and fee waiver programs to the General Assembly by filing copies of its report by December 31 of each year as provided in Section 3.1 of the General Assembly Organization Act.

(b) The General Assembly finds and declares (i) that the Board of Higher Education reports that in Fiscal Year 2011 public institutions of higher education awarded tuition and fee waivers totaling nearly \$415 million; (ii) that 83.9% of these waivers were discretionary in that they were awarded at the discretion of each institution and valued at over \$348 million; (iii) that the remaining 16.1% of waivers were mandatory in that institutions had to award the waivers by statute; and (iv) that because of the significant cost of such waivers, it is

important to review, evaluate, and verify that these waivers are in the public interest and impose a reasonable financial impact upon higher education.

There is hereby created the Tuition and Fee Waiver Task Force. The Task Force shall consist of the following members:

(1) 2 members appointed by the President of the Senate;

(2) 2 members appointed by the Speaker of the House of Representatives;

(3) 2 members appointed by the Minority Leader of the Senate; and

(4) 2 members appointed by the Minority Leader of the House of Representatives.

The President and Speaker shall designate one member each to serve as co-chairpersons of the Task Force. Members must be adults and residents of this State. The individual or his or her successor who appointed a member may remove that appointed member before the expiration of his or her term on the Task Force for official misconduct, incompetence, or neglect of duty. Members shall serve without compensation, but may be reimbursed for expenses. Appointments must be made within 60 calendar days after the effective date of this amendatory Act of the 97th General Assembly.

(c) The purpose of the Tuition and Fee Waiver Task Force is to conduct a thorough review and evaluation of the tuition and fee waiver programs offered by the public institutions of higher education listed in subsection (a) of this Section, as

well as the findings and recommendations made by the Board concerning these programs pursuant to subsection (a) of this Section. The Task Force shall also thoroughly review and evaluate tuition and fee waiver programs offered by public institutions of higher education not listed in subsection (a) of this Section.

The Task Force shall review and evaluate each of the tuition and fee waiver programs offered by public institutions of higher education and determine the propriety of each such program. As part of its review and evaluation, the Task Force shall, among other things, consider the following:

(1) the institution's justification of the need for the program;

(2) the program's intended purposes and goals;

(3) the program's eligibility and selection criteria;

(4) the program's costs;

(5) the purported benefits resulting from the program;

and

(6) whether the program serves the public interest or advances a private interest.

(d) The Board shall provide administrative support to the Tuition and Fee Waiver Task Force. The Task Force shall conduct meetings and public hearings before filing any report mandated under this subsection (d). At the public hearings, the Task Force shall allow interested persons to present their views and comments. The Task Force shall submit a report setting forth

its review and evaluation of the tuition and fee waiver programs offered by public institutions of higher education on or before April 15, 2013 to the Governor, the General Assembly, and the Board. Upon filing its reports, the Task Force is dissolved.

(Source: P.A. 92-51, eff. 1-1-02.)

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