

HB2527



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2527

Introduced 2/13/2019, by Rep. Tom Demmer

SYNOPSIS AS INTRODUCED:

110 ILCS 947/40
110 ILCS 947/45

Amends the Higher Education Student Assistance Act. With regard to the Illinois Veteran grant program, defines "mandatory fees" as the charges assessed by an institution to each and every full-time student for each term, including, but not limited to, charges assessed for any course leading to an undergraduate degree. Makes a similar change to the definition of "tuition and fees" under the Illinois National Guard and Naval Militia grant program. Effective immediately.

LRB101 09776 AXK 54877 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Higher Education Student Assistance Act is
5 amended by changing Sections 40 and 45 as follows:

6 (110 ILCS 947/40)

7 Sec. 40. Illinois Veteran grant program.

8 (a) As used in this Section:

9 "Mandatory fees" means the charges assessed by an
10 institution to each and every full-time student for each term,
11 including, but not limited to, charges assessed for any course
12 leading to an undergraduate degree. "Mandatory fees" does not
13 include application, graduation, laboratory, breakage, or
14 add/drop fees, program administrative fees for out-of-state or
15 foreign study, or tuition.

16 "Qualified applicant" means a person who served in the
17 Armed Forces of the United States, a Reserve component of the
18 Armed Forces, or the Illinois National Guard, excluding members
19 of the Reserve Officers' Training Corps and those whose only
20 service has been attendance at a service academy, and who meets
21 all of the following qualifications:

22 (1) At the time of entering federal active duty service
23 the person was one of the following:

1 (A) An Illinois resident.

2 (B) An Illinois resident within 6 months of
3 entering such service.

4 (C) Enrolled at a State-controlled university or
5 public community college in this State.

6 (2) The person meets one of the following requirements:

7 (A) He or she served at least one year of federal
8 active duty.

9 (B) He or she served less than one year of federal
10 active duty and received an honorable discharge for
11 medical reasons directly connected with such service.

12 (C) He or she served less than one year of federal
13 active duty and was discharged prior to August 11,
14 1967.

15 (D) He or she served less than one year of federal
16 active duty in a foreign country during a time of
17 hostilities in that foreign country.

18 (3) The person received an honorable discharge after
19 leaving each period of federal active duty service.

20 (4) The person returned to this State within 6 months
21 after leaving federal active duty service, or, if married
22 to a person in continued military service stationed outside
23 this State, returned to this State within 6 months after
24 his or her spouse left service or was stationed within this
25 State.

26 "Time of hostilities" means any action by the Armed Forces

1 of the United States that is recognized by the issuance of a
2 Presidential proclamation or a Presidential executive order
3 and in which the Armed Forces expeditionary medal or other
4 campaign service medals are awarded according to Presidential
5 executive order.

6 (b) A person who otherwise qualifies under subsection (a)
7 of this Section but has not left federal active duty service
8 and has served at least one year of federal active duty or has
9 served for less than one year of federal active duty in a
10 foreign country during a time of hostilities in that foreign
11 country and who can provide documentation demonstrating an
12 honorable service record is eligible to receive assistance
13 under this Section.

14 (c) A qualified applicant is not required to pay any
15 tuition or mandatory fees while attending a State-controlled
16 university or public community college in this State for a
17 period that is equivalent to 4 years of full-time enrollment,
18 including summer terms.

19 A qualified applicant who has previously received benefits
20 under this Section for a non-mandatory fee shall continue to
21 receive benefits covering such fees while he or she is enrolled
22 in a continuous program of study. The qualified applicant shall
23 no longer receive a grant covering non-mandatory fees if he or
24 she fails to enroll during an academic term, unless he or she
25 is serving federal active duty service.

26 (d) A qualified applicant who has been or is to be awarded

1 assistance under this Section shall receive that assistance if
2 the qualified applicant notifies his or her postsecondary
3 institution of that fact by the end of the school term for
4 which assistance is requested.

5 (e) Assistance under this Section is considered an
6 entitlement that the State-controlled college or public
7 community college in which the qualified applicant is enrolled
8 shall honor without any condition other than the qualified
9 applicant's maintenance of minimum grade levels and a
10 satisfactory student loan repayment record pursuant to
11 subsection (c) of Section 20 of this Act.

12 (f) The Commission shall administer the grant program
13 established by this Section and shall make all necessary and
14 proper rules not inconsistent with this Section for its
15 effective implementation.

16 (g) All applications for assistance under this Section must
17 be made to the Commission on forms that the Commission shall
18 provide. The Commission shall determine the form of application
19 and the information required to be set forth in the
20 application, and the Commission shall require qualified
21 applicants to submit with their applications any supporting
22 documents that the Commission deems necessary. Upon request,
23 the Department of Veterans' Affairs shall assist the Commission
24 in determining the eligibility of applicants for assistance
25 under this Section.

26 (h) Assistance under this Section is available as long as

1 the federal government provides educational benefits to
2 veterans. Assistance must not be paid under this Section after
3 6 months following the termination of educational benefits to
4 veterans by the federal government, except for persons who
5 already have begun their education with assistance under this
6 Section. If the federal government terminates educational
7 benefits to veterans and at a later time resumes those
8 benefits, assistance under this Section shall resume.

9 (Source: P.A. 94-583, eff. 8-15-05.)

10 (110 ILCS 947/45)

11 Sec. 45. Illinois National Guard and Naval Militia grant
12 program.

13 (a) As used in this Section:

14 "State controlled university or community college" means
15 those institutions under the administration of the Chicago
16 State University Board of Trustees, the Eastern Illinois
17 University Board of Trustees, the Governors State University
18 Board of Trustees, the Illinois State University Board of
19 Trustees, the Northeastern Illinois University Board of
20 Trustees, the Northern Illinois University Board of Trustees,
21 the Western Illinois University Board of Trustees, Southern
22 Illinois University Board of Trustees, University of Illinois
23 Board of Trustees, or the Illinois Community College Board.

24 "Tuition and fees" means the charges assessed by a
25 State-controlled university or community college to each and

1 every full-time student for each term, including, but not
2 limited to, charges assessed for any course leading to an
3 undergraduate degree. "Tuition and fees" shall not include
4 expenses for any sectarian or denominational instruction, the
5 construction or maintenance of sectarian or denominational
6 facilities, or any other sectarian or denominational purposes
7 or activity.

8 "Fees" means matriculation, graduation, activity, term, or
9 incidental fees. Exemption shall not be granted from any other
10 fees, including book rental, service, laboratory, supply, and
11 union building fees, hospital and medical insurance fees, and
12 any fees established for the operation and maintenance of
13 buildings, the income of which is pledged to the payment of
14 interest and principal on bonds issued by the governing board
15 of any university or community college.

16 (b) Any person who has served at least one year in the
17 Illinois National Guard or the Illinois Naval Militia and who
18 possesses all necessary entrance requirements shall, upon
19 application and proper proof, be awarded a grant to the
20 State-controlled university or community college of his or her
21 choice, consisting of exemption from tuition and fees for not
22 more than the equivalent of 4 years of full-time enrollment,
23 including summer terms, in relation to his or her course of
24 study at that State controlled university or community college
25 while he or she is a member of the Illinois National Guard or
26 the Illinois Naval Militia. Beginning with the 2013-2014

1 academic year, any person who has served over 10 years in the
2 Illinois National Guard shall be awarded an additional grant to
3 the State-controlled university or community college of his or
4 her choice, consisting of an exemption from tuition and fees
5 for not more than the equivalent of an additional 2 years of
6 full-time enrollment, including summer terms. Except as
7 otherwise provided in this Section, if the recipient of any
8 grant awarded under this Section ceases to be a member of the
9 Illinois National Guard or the Illinois Naval Militia while
10 enrolled in a course of study under that grant, the grant shall
11 be terminated as of the date membership in the Illinois
12 National Guard or the Illinois Naval Militia ended, and the
13 recipient shall be permitted to complete the school term in
14 which he or she is then enrolled only upon payment of tuition
15 and other fees allocable to the part of the term then
16 remaining. If the recipient of a grant awarded under this
17 Section ceases to be a member of the Illinois National Guard or
18 the Illinois Naval Militia while enrolled in a course of study
19 under that grant but (i) has served in the Illinois National
20 Guard or the Illinois Naval Militia for at least 5 years and
21 (ii) has served a cumulative total of at least 6 months of
22 active duty, then that recipient shall continue to be eligible
23 for a grant for one year after membership in the Illinois
24 National Guard or the Illinois Naval Militia ended, provided
25 that the recipient has not already received the exemption from
26 tuition and fees for the equivalent of 4 years of full-time

1 enrollment, including summer terms, under this Section. If the
2 recipient of the grant fails to complete his or her military
3 service obligations or requirements for satisfactory
4 participation, the Department of Military Affairs shall
5 require the recipient to repay the amount of the grant
6 received, prorated according to the fraction of the service
7 obligation not completed, and, if applicable, reasonable
8 collection fees. The Department of Military Affairs may adopt
9 rules relating to its collection activities for repayment of
10 the grant under this Section. Unsatisfactory participation
11 shall be defined by rules adopted by the Department of Military
12 Affairs. Repayments shall be deposited in the National Guard
13 and Naval Militia Grant Fund. The National Guard and Naval
14 Militia Grant Fund is created as a special fund in the State
15 treasury. All money in the National Guard and Naval Militia
16 Grant Fund shall be used, subject to appropriation, by the
17 Illinois Student Assistance Commission for the purposes of this
18 Section.

19 A grant awarded under this Section shall be considered an
20 entitlement which the State-controlled university or community
21 college in which the holder is enrolled shall honor without any
22 condition other than the holder's maintenance of minimum grade
23 levels and a satisfactory student loan repayment record
24 pursuant to subsection (c) of Section 20 of this Act.

25 (c) Subject to a separate appropriation for such purposes,
26 the Commission may reimburse the State-controlled university

1 or community college for grants authorized by this Section.

2 (Source: P.A. 98-314, eff. 8-12-13.)

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