



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5573

by Rep. Delia C. Ramirez

SYNOPSIS AS INTRODUCED:

110 ILCS 305/7e-5
110 ILCS 520/8d-5
110 ILCS 660/5-88
110 ILCS 665/10-88
110 ILCS 670/15-88
110 ILCS 675/20-88
110 ILCS 680/25-88
110 ILCS 685/30-88
110 ILCS 690/35-88
110 ILCS 805/6-4a

Amends various Acts relating to the governance of public universities and community colleges in Illinois. Requires the governing board of each public university and community college district to deem an individual admitted to the United States as a refugee or an individual who has special immigrant status an Illinois resident for tuition purposes. Effective January 1, 2021.

LRB101 17237 CMG 66641 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 University of Illinois Act is amended by
5 changing Section 7e-5 as follows:

6 (110 ILCS 305/7e-5)

7 Sec. 7e-5. In-state tuition charge.

8 (a) Notwithstanding any other provision of law to the
9 contrary, for tuition purposes, the Board of Trustees shall
10 deem an individual an Illinois resident, until the individual
11 establishes a residence outside of this State, if all of the
12 following conditions are met:

13 (1) The individual resided with his or her parent or
14 guardian while attending a public or private high school in
15 this State.

16 (2) The individual graduated from a public or private
17 high school or received the equivalent of a high school
18 diploma in this State.

19 (3) The individual attended school in this State for at
20 least 3 years as of the date the individual graduated from
21 high school or received the equivalent of a high school
22 diploma.

23 (4) The individual registers as an entering student in

1 the University not earlier than the 2003 fall semester.

2 (5) In the case of an individual who is not a citizen
3 or a permanent resident of the United States, the
4 individual provides the University with an affidavit
5 stating that the individual will file an application to
6 become a permanent resident of the United States at the
7 earliest opportunity the individual is eligible to do so.

8 This subsection (a) applies only to tuition for a term or
9 semester that begins on or after May 20, 2003 (the effective
10 date of Public Act 93-7). Any revenue lost by the University in
11 implementing this subsection (a) shall be absorbed by the
12 University Income Fund.

13 (b) If a person is on active military duty and stationed in
14 Illinois, then the Board of Trustees shall deem that person and
15 any of his or her dependents Illinois residents for tuition
16 purposes. Beginning with the 2009-2010 academic year, if a
17 person is on active military duty and is stationed out of
18 State, but he or she was stationed in this State for at least 3
19 years immediately prior to being reassigned out of State, then
20 the Board of Trustees shall deem that person and any of his or
21 her dependents Illinois residents for tuition purposes, as long
22 as that person or his or her dependent (i) applies for
23 admission to the University within 18 months of the person on
24 active military duty being reassigned or (ii) remains
25 continuously enrolled at the University. Beginning with the
26 2013-2014 academic year, if a person is utilizing benefits

1 under the federal Post-9/11 Veterans Educational Assistance
2 Act of 2008 or any subsequent variation of that Act, then the
3 Board of Trustees shall deem that person an Illinois resident
4 for tuition purposes. Beginning with the 2015-2016 academic
5 year, if a person is utilizing benefits under the federal
6 All-Volunteer Force Educational Assistance Program, then the
7 Board of Trustees shall deem that person an Illinois resident
8 for tuition purposes. Beginning with the 2019-2020 academic
9 year, per the federal requirements for maintaining approval for
10 veterans' education benefits under 38 U.S.C. 3679(c), if a
11 person is on active military duty or is receiving veterans'
12 education benefits, then the Board of Trustees shall deem that
13 person an Illinois resident for tuition purposes for any
14 academic quarter, semester, or term, as applicable.

15 (c) For the purposes of this subsection (c):

16 "Refugee" has the meaning ascribed to that term in Section
17 1101(a) (42) of Title 8 of the United States Code.

18 "Special immigrant" has the meaning ascribed to that term
19 in Section 1101(a) (27) of Title 8 of the United States Code.

20 If an individual has been admitted to the United States as
21 a refugee and has settled in this State or is an individual who
22 has special immigrant status and has settled in this State,
23 then the Board of Trustees shall deem that individual an
24 Illinois resident for tuition purposes.

25 (Source: P.A. 101-424, eff. 8-16-19.)

1 Section 10. The Southern Illinois University Management
2 Act is amended by changing Section 8d-5 as follows:

3 (110 ILCS 520/8d-5)

4 Sec. 8d-5. In-state tuition charge.

5 (a) Notwithstanding any other provision of law to the
6 contrary, for tuition purposes, the Board shall deem an
7 individual an Illinois resident, until the individual
8 establishes a residence outside of this State, if all of the
9 following conditions are met:

10 (1) The individual resided with his or her parent or
11 guardian while attending a public or private high school in
12 this State.

13 (2) The individual graduated from a public or private
14 high school or received the equivalent of a high school
15 diploma in this State.

16 (3) The individual attended school in this State for at
17 least 3 years as of the date the individual graduated from
18 high school or received the equivalent of a high school
19 diploma.

20 (4) The individual registers as an entering student in
21 the University not earlier than the 2003 fall semester.

22 (5) In the case of an individual who is not a citizen
23 or a permanent resident of the United States, the
24 individual provides the University with an affidavit
25 stating that the individual will file an application to

1 become a permanent resident of the United States at the
2 earliest opportunity the individual is eligible to do so.

3 This subsection (a) applies only to tuition for a term or
4 semester that begins on or after May 20, 2003 (the effective
5 date of Public Act 93-7). Any revenue lost by the University in
6 implementing this subsection (a) shall be absorbed by the
7 University Income Fund.

8 (b) If a person is on active military duty and stationed in
9 Illinois, then the Board shall deem that person and any of his
10 or her dependents Illinois residents for tuition purposes.
11 Beginning with the 2009-2010 academic year, if a person is on
12 active military duty and is stationed out of State, but he or
13 she was stationed in this State for at least 3 years
14 immediately prior to being reassigned out of State, then the
15 Board shall deem that person and any of his or her dependents
16 Illinois residents for tuition purposes, as long as that person
17 or his or her dependent (i) applies for admission to the
18 University within 18 months of the person on active military
19 duty being reassigned or (ii) remains continuously enrolled at
20 the University. Beginning with the 2013-2014 academic year, if
21 a person is utilizing benefits under the federal Post-9/11
22 Veterans Educational Assistance Act of 2008 or any subsequent
23 variation of that Act, then the Board shall deem that person an
24 Illinois resident for tuition purposes. Beginning with the
25 2015-2016 academic year, if a person is utilizing benefits
26 under the federal All-Volunteer Force Educational Assistance

1 Program, then the Board shall deem that person an Illinois
2 resident for tuition purposes. Beginning with the 2019-2020
3 academic year, per the federal requirements for maintaining
4 approval for veterans' education benefits under 38 U.S.C.
5 3679(c), if a person is on active military duty or is receiving
6 veterans' education benefits, then the Board of Trustees shall
7 deem that person an Illinois resident for tuition purposes for
8 any academic quarter, semester, or term, as applicable.

9 (c) For the purposes of this subsection (c):

10 "Refugee" has the meaning ascribed to that term in Section
11 1101(a) (42) of Title 8 of the United States Code.

12 "Special immigrant" has the meaning ascribed to that term
13 in Section 1101(a) (27) of Title 8 of the United States Code.

14 If an individual has been admitted to the United States as
15 a refugee and has settled in this State or is an individual who
16 has special immigrant status and has settled in this State,
17 then the Board shall deem that individual an Illinois resident
18 for tuition purposes.

19 (Source: P.A. 101-424, eff. 8-16-19.)

20 Section 15. The Chicago State University Law is amended by
21 changing Section 5-88 as follows:

22 (110 ILCS 660/5-88)

23 Sec. 5-88. In-state tuition charge.

24 (a) Notwithstanding any other provision of law to the

1 contrary, for tuition purposes, the Board shall deem an
2 individual an Illinois resident, until the individual
3 establishes a residence outside of this State, if all of the
4 following conditions are met:

5 (1) The individual resided with his or her parent or
6 guardian while attending a public or private high school in
7 this State.

8 (2) The individual graduated from a public or private
9 high school or received the equivalent of a high school
10 diploma in this State.

11 (3) The individual attended school in this State for at
12 least 3 years as of the date the individual graduated from
13 high school or received the equivalent of a high school
14 diploma.

15 (4) The individual registers as an entering student in
16 the University not earlier than the 2003 fall semester.

17 (5) In the case of an individual who is not a citizen
18 or a permanent resident of the United States, the
19 individual provides the University with an affidavit
20 stating that the individual will file an application to
21 become a permanent resident of the United States at the
22 earliest opportunity the individual is eligible to do so.

23 This subsection (a) applies only to tuition for a term or
24 semester that begins on or after May 20, 2003 (the effective
25 date of Public Act 93-7). Any revenue lost by the University in
26 implementing this subsection (a) shall be absorbed by the

1 University Income Fund.

2 (b) If a person is on active military duty and stationed in
3 Illinois, then the Board shall deem that person and any of his
4 or her dependents Illinois residents for tuition purposes.
5 Beginning with the 2009-2010 academic year, if a person is on
6 active military duty and is stationed out of State, but he or
7 she was stationed in this State for at least 3 years
8 immediately prior to being reassigned out of State, then the
9 Board shall deem that person and any of his or her dependents
10 Illinois residents for tuition purposes, as long as that person
11 or his or her dependent (i) applies for admission to the
12 University within 18 months of the person on active military
13 duty being reassigned or (ii) remains continuously enrolled at
14 the University. Beginning with the 2013-2014 academic year, if
15 a person is utilizing benefits under the federal Post-9/11
16 Veterans Educational Assistance Act of 2008 or any subsequent
17 variation of that Act, then the Board shall deem that person an
18 Illinois resident for tuition purposes. Beginning with the
19 2015-2016 academic year, if a person is utilizing benefits
20 under the federal All-Volunteer Force Educational Assistance
21 Program, then the Board shall deem that person an Illinois
22 resident for tuition purposes. Beginning with the 2019-2020
23 academic year, per the federal requirements for maintaining
24 approval for veterans' education benefits under 38 U.S.C.
25 3679(c), if a person is on active military duty or is receiving
26 veterans' education benefits, then the Board of Trustees shall

1 deem that person an Illinois resident for tuition purposes for
2 any academic quarter, semester, or term, as applicable.

3 (c) For the purposes of this subsection (c):

4 "Refugee" has the meaning ascribed to that term in Section
5 1101(a) (42) of Title 8 of the United States Code.

6 "Special immigrant" has the meaning ascribed to that term
7 in Section 1101(a) (27) of Title 8 of the United States Code.

8 If an individual has been admitted to the United States as
9 a refugee and has settled in this State or is an individual who
10 has special immigrant status and has settled in this State,
11 then the Board shall deem that individual an Illinois resident
12 for tuition purposes.

13 (Source: P.A. 101-424, eff. 8-16-19.)

14 Section 20. The Eastern Illinois University Law is amended
15 by changing Section 10-88 as follows:

16 (110 ILCS 665/10-88)

17 Sec. 10-88. In-state tuition charge.

18 (a) Notwithstanding any other provision of law to the
19 contrary, for tuition purposes, the Board shall deem an
20 individual an Illinois resident, until the individual
21 establishes a residence outside of this State, if all of the
22 following conditions are met:

23 (1) The individual resided with his or her parent or
24 guardian while attending a public or private high school in

1 this State.

2 (2) The individual graduated from a public or private
3 high school or received the equivalent of a high school
4 diploma in this State.

5 (3) The individual attended school in this State for at
6 least 3 years as of the date the individual graduated from
7 high school or received the equivalent of a high school
8 diploma.

9 (4) The individual registers as an entering student in
10 the University not earlier than the 2003 fall semester.

11 (5) In the case of an individual who is not a citizen
12 or a permanent resident of the United States, the
13 individual provides the University with an affidavit
14 stating that the individual will file an application to
15 become a permanent resident of the United States at the
16 earliest opportunity the individual is eligible to do so.

17 This subsection (a) applies only to tuition for a term or
18 semester that begins on or after May 20, 2003 (the effective
19 date of Public Act 93-7). Any revenue lost by the University in
20 implementing this subsection (a) shall be absorbed by the
21 University Income Fund.

22 (b) If a person is on active military duty and stationed in
23 Illinois, then the Board shall deem that person and any of his
24 or her dependents Illinois residents for tuition purposes.
25 Beginning with the 2009-2010 academic year, if a person is on
26 active military duty and is stationed out of State, but he or

1 she was stationed in this State for at least 3 years
2 immediately prior to being reassigned out of State, then the
3 Board shall deem that person and any of his or her dependents
4 Illinois residents for tuition purposes, as long as that person
5 or his or her dependent (i) applies for admission to the
6 University within 18 months of the person on active military
7 duty being reassigned or (ii) remains continuously enrolled at
8 the University. Beginning with the 2013-2014 academic year, if
9 a person is utilizing benefits under the federal Post-9/11
10 Veterans Educational Assistance Act of 2008 or any subsequent
11 variation of that Act, then the Board shall deem that person an
12 Illinois resident for tuition purposes. Beginning with the
13 2015-2016 academic year, if a person is utilizing benefits
14 under the federal All-Volunteer Force Educational Assistance
15 Program, then the Board shall deem that person an Illinois
16 resident for tuition purposes. Beginning with the 2019-2020
17 academic year, per the federal requirements for maintaining
18 approval for veterans' education benefits under 38 U.S.C.
19 3679(c), if a person is on active military duty or is receiving
20 veterans' education benefits, then the Board of Trustees shall
21 deem that person an Illinois resident for tuition purposes for
22 any academic quarter, semester, or term, as applicable.

23 (c) For the purposes of this subsection (c):

24 "Refugee" has the meaning ascribed to that term in Section
25 1101(a) (42) of Title 8 of the United States Code.

26 "Special immigrant" has the meaning ascribed to that term

1 in Section 1101(a) (27) of Title 8 of the United States Code.

2 If an individual has been admitted to the United States as
3 a refugee and has settled in this State or is an individual who
4 has special immigrant status and has settled in this State,
5 then the Board shall deem that individual an Illinois resident
6 for tuition purposes.

7 (Source: P.A. 101-424, eff. 8-16-19.)

8 Section 25. The Governors State University Law is amended
9 by changing Section 15-88 as follows:

10 (110 ILCS 670/15-88)

11 Sec. 15-88. In-state tuition charge.

12 (a) Notwithstanding any other provision of law to the
13 contrary, for tuition purposes, the Board shall deem an
14 individual an Illinois resident, until the individual
15 establishes a residence outside of this State, if all of the
16 following conditions are met:

17 (1) The individual resided with his or her parent or
18 guardian while attending a public or private high school in
19 this State.

20 (2) The individual graduated from a public or private
21 high school or received the equivalent of a high school
22 diploma in this State.

23 (3) The individual attended school in this State for at
24 least 3 years as of the date the individual graduated from

1 high school or received the equivalent of a high school
2 diploma.

3 (4) The individual registers as an entering student in
4 the University not earlier than the 2003 fall semester.

5 (5) In the case of an individual who is not a citizen
6 or a permanent resident of the United States, the
7 individual provides the University with an affidavit
8 stating that the individual will file an application to
9 become a permanent resident of the United States at the
10 earliest opportunity the individual is eligible to do so.

11 This subsection (a) applies only to tuition for a term or
12 semester that begins on or after May 20, 2003 (the effective
13 date of Public Act 93-7). Any revenue lost by the University in
14 implementing this subsection (a) shall be absorbed by the
15 University Income Fund.

16 (b) If a person is on active military duty and stationed in
17 Illinois, then the Board shall deem that person and any of his
18 or her dependents Illinois residents for tuition purposes.
19 Beginning with the 2009-2010 academic year, if a person is on
20 active military duty and is stationed out of State, but he or
21 she was stationed in this State for at least 3 years
22 immediately prior to being reassigned out of State, then the
23 Board shall deem that person and any of his or her dependents
24 Illinois residents for tuition purposes, as long as that person
25 or his or her dependent (i) applies for admission to the
26 University within 18 months of the person on active military

1 duty being reassigned or (ii) remains continuously enrolled at
2 the University. Beginning with the 2013-2014 academic year, if
3 a person is utilizing benefits under the federal Post-9/11
4 Veterans Educational Assistance Act of 2008 or any subsequent
5 variation of that Act, then the Board shall deem that person an
6 Illinois resident for tuition purposes. Beginning with the
7 2015-2016 academic year, if a person is utilizing benefits
8 under the federal All-Volunteer Force Educational Assistance
9 Program, then the Board shall deem that person an Illinois
10 resident for tuition purposes. Beginning with the 2019-2020
11 academic year, per the federal requirements for maintaining
12 approval for veterans' education benefits under 38 U.S.C.
13 3679(c), if a person is on active military duty or is receiving
14 veterans' education benefits, then the Board of Trustees shall
15 deem that person an Illinois resident for tuition purposes for
16 any academic quarter, semester, or term, as applicable.

17 (c) For the purposes of this subsection (c):

18 "Refugee" has the meaning ascribed to that term in Section
19 1101(a) (42) of Title 8 of the United States Code.

20 "Special immigrant" has the meaning ascribed to that term
21 in Section 1101(a) (27) of Title 8 of the United States Code.

22 If an individual has been admitted to the United States as
23 a refugee and has settled in this State or is an individual who
24 has special immigrant status and has settled in this State,
25 then the Board shall deem that individual an Illinois resident
26 for tuition purposes.

1 (Source: P.A. 101-424, eff. 8-16-19.)

2 Section 30. The Illinois State University Law is amended by
3 changing Section 20-88 as follows:

4 (110 ILCS 675/20-88)

5 Sec. 20-88. In-state tuition charge.

6 (a) Notwithstanding any other provision of law to the
7 contrary, for tuition purposes, the Board shall deem an
8 individual an Illinois resident, until the individual
9 establishes a residence outside of this State, if all of the
10 following conditions are met:

11 (1) The individual resided with his or her parent or
12 guardian while attending a public or private high school in
13 this State.

14 (2) The individual graduated from a public or private
15 high school or received the equivalent of a high school
16 diploma in this State.

17 (3) The individual attended school in this State for at
18 least 3 years as of the date the individual graduated from
19 high school or received the equivalent of a high school
20 diploma.

21 (4) The individual registers as an entering student in
22 the University not earlier than the 2003 fall semester.

23 (5) In the case of an individual who is not a citizen
24 or a permanent resident of the United States, the

1 individual provides the University with an affidavit
2 stating that the individual will file an application to
3 become a permanent resident of the United States at the
4 earliest opportunity the individual is eligible to do so.

5 This subsection (a) applies only to tuition for a term or
6 semester that begins on or after May 20, 2003 (the effective
7 date of Public Act 93-7). Any revenue lost by the University in
8 implementing this subsection (a) shall be absorbed by the
9 University Income Fund.

10 (b) If a person is on active military duty and stationed in
11 Illinois, then the Board shall deem that person and any of his
12 or her dependents Illinois residents for tuition purposes.
13 Beginning with the 2009-2010 academic year, if a person is on
14 active military duty and is stationed out of State, but he or
15 she was stationed in this State for at least 3 years
16 immediately prior to being reassigned out of State, then the
17 Board shall deem that person and any of his or her dependents
18 Illinois residents for tuition purposes, as long as that person
19 or his or her dependent (i) applies for admission to the
20 University within 18 months of the person on active military
21 duty being reassigned or (ii) remains continuously enrolled at
22 the University. Beginning with the 2013-2014 academic year, if
23 a person is utilizing benefits under the federal Post-9/11
24 Veterans Educational Assistance Act of 2008 or any subsequent
25 variation of that Act, then the Board shall deem that person an
26 Illinois resident for tuition purposes. Beginning with the

1 2015-2016 academic year, if a person is utilizing benefits
2 under the federal All-Volunteer Force Educational Assistance
3 Program, then the Board shall deem that person an Illinois
4 resident for tuition purposes. Beginning with the 2015-2016
5 academic year, if a person is utilizing benefits under the
6 federal All-Volunteer Force Educational Assistance Program,
7 then the Board of Trustees shall deem that person an Illinois
8 resident for tuition purposes. Beginning with the 2019-2020
9 academic year, per the federal requirements for maintaining
10 approval for veterans' education benefits under 38 U.S.C.
11 3679(c), if a person is on active military duty or is receiving
12 veterans' education benefits, then the Board of Trustees shall
13 deem that person an Illinois resident for tuition purposes for
14 any academic quarter, semester, or term, as applicable.

15 (c) For the purposes of this subsection (c):

16 "Refugee" has the meaning ascribed to that term in Section
17 1101(a) (42) of Title 8 of the United States Code.

18 "Special immigrant" has the meaning ascribed to that term
19 in Section 1101(a) (27) of Title 8 of the United States Code.

20 If an individual has been admitted to the United States as
21 a refugee and has settled in this State or is an individual who
22 has special immigrant status and has settled in this State,
23 then the Board shall deem that individual an Illinois resident
24 for tuition purposes.

25 (Source: P.A. 101-424, eff. 8-16-19.)

1 Section 35. The Northeastern Illinois University Law is
2 amended by changing Section 25-88 as follows:

3 (110 ILCS 680/25-88)

4 Sec. 25-88. In-state tuition charge.

5 (a) Notwithstanding any other provision of law to the
6 contrary, for tuition purposes, the Board shall deem an
7 individual an Illinois resident, until the individual
8 establishes a residence outside of this State, if all of the
9 following conditions are met:

10 (1) The individual resided with his or her parent or
11 guardian while attending a public or private high school in
12 this State.

13 (2) The individual graduated from a public or private
14 high school or received the equivalent of a high school
15 diploma in this State.

16 (3) The individual attended school in this State for at
17 least 3 years as of the date the individual graduated from
18 high school or received the equivalent of a high school
19 diploma.

20 (4) The individual registers as an entering student in
21 the University not earlier than the 2003 fall semester.

22 (5) In the case of an individual who is not a citizen
23 or a permanent resident of the United States, the
24 individual provides the University with an affidavit
25 stating that the individual will file an application to

1 become a permanent resident of the United States at the
2 earliest opportunity the individual is eligible to do so.

3 This subsection (a) applies only to tuition for a term or
4 semester that begins on or after May 20, 2003 (the effective
5 date of Public Act 93-7). Any revenue lost by the University in
6 implementing this subsection (a) shall be absorbed by the
7 University Income Fund.

8 (b) If a person is on active military duty and stationed in
9 Illinois, then the Board shall deem that person and any of his
10 or her dependents Illinois residents for tuition purposes.
11 Beginning with the 2009-2010 academic year, if a person is on
12 active military duty and is stationed out of State, but he or
13 she was stationed in this State for at least 3 years
14 immediately prior to being reassigned out of State, then the
15 Board shall deem that person and any of his or her dependents
16 Illinois residents for tuition purposes, as long as that person
17 or his or her dependent (i) applies for admission to the
18 University within 18 months of the person on active military
19 duty being reassigned or (ii) remains continuously enrolled at
20 the University. Beginning with the 2013-2014 academic year, if
21 a person is utilizing benefits under the federal Post-9/11
22 Veterans Educational Assistance Act of 2008 or any subsequent
23 variation of that Act, then the Board shall deem that person an
24 Illinois resident for tuition purposes. Beginning with the
25 2015-2016 academic year, if a person is utilizing benefits
26 under the federal All-Volunteer Force Educational Assistance

1 Program, then the Board shall deem that person an Illinois
2 resident for tuition purposes. Beginning with the 2019-2020
3 academic year, per the federal requirements for maintaining
4 approval for veterans' education benefits under 38 U.S.C.
5 3679(c), if a person is on active military duty or is receiving
6 veterans' education benefits, then the Board of Trustees shall
7 deem that person an Illinois resident for tuition purposes for
8 any academic quarter, semester, or term, as applicable.

9 (c) For the purposes of this subsection (c):

10 "Refugee" has the meaning ascribed to that term in Section
11 1101(a) (42) of Title 8 of the United States Code.

12 "Special immigrant" has the meaning ascribed to that term
13 in Section 1101(a) (27) of Title 8 of the United States Code.

14 If an individual has been admitted to the United States as
15 a refugee and has settled in this State or is an individual who
16 has special immigrant status and has settled in this State,
17 then the Board shall deem that individual an Illinois resident
18 for tuition purposes.

19 (Source: P.A. 101-424, eff. 8-16-19.)

20 Section 40. The Northern Illinois University Law is amended
21 by changing Section 30-88 as follows:

22 (110 ILCS 685/30-88)

23 Sec. 30-88. In-state tuition charge.

24 (a) Notwithstanding any other provision of law to the

1 contrary, for tuition purposes, the Board shall deem an
2 individual an Illinois resident, until the individual
3 establishes a residence outside of this State, if all of the
4 following conditions are met:

5 (1) The individual resided with his or her parent or
6 guardian while attending a public or private high school in
7 this State.

8 (2) The individual graduated from a public or private
9 high school or received the equivalent of a high school
10 diploma in this State.

11 (3) The individual attended school in this State for at
12 least 3 years as of the date the individual graduated from
13 high school or received the equivalent of a high school
14 diploma.

15 (4) The individual registers as an entering student in
16 the University not earlier than the 2003 fall semester.

17 (5) In the case of an individual who is not a citizen
18 or a permanent resident of the United States, the
19 individual provides the University with an affidavit
20 stating that the individual will file an application to
21 become a permanent resident of the United States at the
22 earliest opportunity the individual is eligible to do so.

23 This subsection (a) applies only to tuition for a term or
24 semester that begins on or after May 20, 2003 (the effective
25 date of Public Act 93-7). Any revenue lost by the University in
26 implementing this subsection (a) shall be absorbed by the

1 University Income Fund.

2 (b) If a person is on active military duty and stationed in
3 Illinois, then the Board shall deem that person and any of his
4 or her dependents Illinois residents for tuition purposes.
5 Beginning with the 2009-2010 academic year, if a person is on
6 active military duty and is stationed out of State, but he or
7 she was stationed in this State for at least 3 years
8 immediately prior to being reassigned out of State, then the
9 Board shall deem that person and any of his or her dependents
10 Illinois residents for tuition purposes, as long as that person
11 or his or her dependent (i) applies for admission to the
12 University within 18 months of the person on active military
13 duty being reassigned or (ii) remains continuously enrolled at
14 the University. Beginning with the 2013-2014 academic year, if
15 a person is utilizing benefits under the federal Post-9/11
16 Veterans Educational Assistance Act of 2008 or any subsequent
17 variation of that Act, then the Board shall deem that person an
18 Illinois resident for tuition purposes. Beginning with the
19 2015-2016 academic year, if a person is utilizing benefits
20 under the federal All-Volunteer Force Educational Assistance
21 Program, then the Board shall deem that person an Illinois
22 resident for tuition purposes. Beginning with the 2019-2020
23 academic year, per the federal requirements for maintaining
24 approval for veterans' education benefits under 38 U.S.C.
25 3679(c), if a person is on active military duty or is receiving
26 veterans' education benefits, then the Board of Trustees shall

1 deem that person an Illinois resident for tuition purposes for
2 any academic quarter, semester, or term, as applicable.

3 (c) For the purposes of this subsection (c):

4 "Refugee" has the meaning ascribed to that term in Section
5 1101(a) (42) of Title 8 of the United States Code.

6 "Special immigrant" has the meaning ascribed to that term
7 in Section 1101(a) (27) of Title 8 of the United States Code.

8 If an individual has been admitted to the United States as
9 a refugee and has settled in this State or is an individual who
10 has special immigrant status and has settled in this State,
11 then the Board shall deem that individual an Illinois resident
12 for tuition purposes.

13 (Source: P.A. 101-424, eff. 8-16-19.)

14 Section 45. The Western Illinois University Law is amended
15 by changing Section 35-88 as follows:

16 (110 ILCS 690/35-88)

17 Sec. 35-88. In-state tuition charge.

18 (a) Notwithstanding any other provision of law to the
19 contrary, for tuition purposes, the Board shall deem an
20 individual an Illinois resident, until the individual
21 establishes a residence outside of this State, if all of the
22 following conditions are met:

23 (1) The individual resided with his or her parent or
24 guardian while attending a public or private high school in

1 this State.

2 (2) The individual graduated from a public or private
3 high school or received the equivalent of a high school
4 diploma in this State.

5 (3) The individual attended school in this State for at
6 least 3 years as of the date the individual graduated from
7 high school or received the equivalent of a high school
8 diploma.

9 (4) The individual registers as an entering student in
10 the University not earlier than the 2003 fall semester.

11 (5) In the case of an individual who is not a citizen
12 or a permanent resident of the United States, the
13 individual provides the University with an affidavit
14 stating that the individual will file an application to
15 become a permanent resident of the United States at the
16 earliest opportunity the individual is eligible to do so.

17 This subsection (a) applies only to tuition for a term or
18 semester that begins on or after May 20, 2003 (the effective
19 date of Public Act 93-7). Any revenue lost by the University in
20 implementing this subsection (a) shall be absorbed by the
21 University Income Fund.

22 (b) If a person is on active military duty and stationed in
23 Illinois, then the Board shall deem that person and any of his
24 or her dependents Illinois residents for tuition purposes.
25 Beginning with the 2009-2010 academic year, if a person is on
26 active military duty and is stationed out of State, but he or

1 she was stationed in this State for at least 3 years
2 immediately prior to being reassigned out of State, then the
3 Board shall deem that person and any of his or her dependents
4 Illinois residents for tuition purposes, as long as that person
5 or his or her dependent (i) applies for admission to the
6 University within 18 months of the person on active military
7 duty being reassigned or (ii) remains continuously enrolled at
8 the University. Beginning with the 2013-2014 academic year, if
9 a person is utilizing benefits under the federal Post-9/11
10 Veterans Educational Assistance Act of 2008 or any subsequent
11 variation of that Act, then the Board shall deem that person an
12 Illinois resident for tuition purposes. Beginning with the
13 2015-2016 academic year, if a person is utilizing benefits
14 under the federal All-Volunteer Force Educational Assistance
15 Program, then the Board shall deem that person an Illinois
16 resident for tuition purposes. Beginning with the 2019-2020
17 academic year, per the federal requirements for maintaining
18 approval for veterans' education benefits under 38 U.S.C.
19 3679(c), if a person is on active military duty or is receiving
20 veterans' education benefits, then the Board of Trustees shall
21 deem that person an Illinois resident for tuition purposes for
22 any academic quarter, semester, or term, as applicable.

23 (c) For the purposes of this subsection (c):

24 "Refugee" has the meaning ascribed to that term in Section
25 1101(a) (42) of Title 8 of the United States Code.

26 "Special immigrant" has the meaning ascribed to that term

1 in Section 1101(a) (27) of Title 8 of the United States Code.

2 If an individual has been admitted to the United States as
3 a refugee and has settled in this State or is an individual who
4 has special immigrant status and has settled in this State,
5 then the Board shall deem that individual an Illinois resident
6 for tuition purposes.

7 (Source: P.A. 101-424, eff. 8-16-19.)

8 Section 50. The Public Community College Act is amended by
9 changing Section 6-4a as follows:

10 (110 ILCS 805/6-4a)

11 Sec. 6-4a. In-state tuition charge.

12 (a) Notwithstanding any other provision of law to the
13 contrary, for tuition purposes, a board shall deem an
14 individual an Illinois resident, until the individual
15 establishes a residence outside of this State, if all of the
16 following conditions are met:

17 (1) The individual resided with his or her parent or
18 guardian while attending a public or private high school in
19 this State.

20 (2) The individual graduated from a public or private
21 high school or received the equivalent of a high school
22 diploma in this State.

23 (3) The individual attended school in this State for at
24 least 3 years as of the date the individual graduated from

1 high school or received the equivalent of a high school
2 diploma.

3 (4) The individual registers as an entering student in
4 the community college not earlier than the 2003 fall
5 semester.

6 (5) In the case of an individual who is not a citizen
7 or a permanent resident of the United States, the
8 individual provides the community college with an
9 affidavit stating that the individual will file an
10 application to become a permanent resident of the United
11 States at the earliest opportunity the individual is
12 eligible to do so.

13 (b) This Section applies only to tuition for a term or
14 semester that begins on or after the effective date of this
15 amendatory Act of the 93rd General Assembly.

16 (c) Beginning with the 2013-2014 academic year, if a person
17 is utilizing benefits under the federal Post-9/11 Veterans
18 Educational Assistance Act of 2008 or any subsequent variation
19 of that Act, then the board shall deem that person an Illinois
20 resident for tuition purposes.

21 (d) Beginning with the 2015-2016 academic year, if a person
22 is utilizing benefits under the federal All-Volunteer Force
23 Educational Assistance Program, then the board shall deem that
24 person an Illinois resident for tuition purposes.

25 (e) Beginning with the 2019-2020 academic year, per the
26 federal requirements for maintaining approval for veterans'

1 education benefits under 38 U.S.C. 3679(c), if a person is on
2 active military duty or is receiving veterans' education
3 benefits, then the board shall deem that person an Illinois
4 resident for tuition purposes for any academic quarter,
5 semester, or term, as applicable.

6 (f) For the purposes of this subsection (f):

7 "Refugee" has the meaning ascribed to that term in Section
8 1101(a) (42) of Title 8 of the United States Code.

9 "Special immigrant" has the meaning ascribed to that term
10 in Section 1101(a) (27) of Title 8 of the United States Code.

11 If an individual has been admitted to the United States as
12 a refugee and has settled in this State or is an individual who
13 has special immigrant status and has settled in this State,
14 then the board shall deem that individual an Illinois resident
15 for tuition purposes.

16 (Source: P.A. 101-424, eff. 8-16-19.)

17 Section 99. Effective date. This Act takes effect January
18 1, 2021.