



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1397

Introduced 2/6/2015, by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

105 ILCS 5/30-9	from Ch. 122, par. 30-9
105 ILCS 5/30-10	from Ch. 122, par. 30-10
105 ILCS 5/30-11	from Ch. 122, par. 30-11
105 ILCS 5/30-12	from Ch. 122, par. 30-12
105 ILCS 5/30-12.5	
105 ILCS 5/30-13	from Ch. 122, par. 30-13
105 ILCS 5/30-13.5	

Amends the School Code. Allows each member of the General Assembly to nominate persons from his or her district, which persons shall receive a certificate of scholarship in a State university designated by the member. Sets forth provisions concerning such nominations, including the number of persons a member may nominate and the length of the scholarships. Provides for the waiver of confidentiality as a condition of nomination. Provides for the use of a scholarship, including that the scholarship exempts the holder from the payment of tuition and fees.

LRB099 06187 NHT 26246 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 School Code is amended by changing Sections
5 30-9, 30-10, 30-11, 30-12, 30-12.5, 30-13, and 30-13.5 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. Each member of the
10 General Assembly may nominate annually 6 persons of school age
11 and otherwise eligible from his or her district; 4 shall
12 receive a one-year certificate of scholarship in any State
13 university designated by the member and 2 shall receive a
14 4-year certificate of scholarship in any State university
15 designated by the member. The nominee, if a graduate of a
16 school accredited by the university to which nominated, shall
17 be admitted to the university on the same conditions as to
18 educational qualifications as are other graduates of
19 accredited schools. If the nominee is not a graduate of a
20 school accredited by the university to which nominated, he or
21 she must, before being entitled to the benefits of the
22 scholarship, pass an examination given by the regional
23 superintendent of schools of the county where he or she

1 resides. The president of each university shall prescribe the
2 rules governing the examination for scholarship to his or her
3 university.

4 A member of the General Assembly may award the scholarship
5 by competitive examination even though one or more of the
6 applicants are graduates of schools accredited by the
7 university.

8 A member of the General Assembly may delegate to the
9 Illinois Student Assistance Commission the authority to
10 nominate persons for General Assembly scholarships that the
11 member would otherwise be entitled to award or may direct the
12 Commission to evaluate and make recommendations to the member
13 concerning candidates for such scholarships. In the event a
14 member delegates his or her nominating authority or directs the
15 Commission to evaluate and make recommendations concerning
16 candidates for General Assembly scholarships, the member shall
17 inform the Commission in writing of the criteria that he or she
18 wishes the Commission to apply in nominating or recommending
19 candidates. Those criteria may include some or all of the
20 criteria provided in Section 25 of the Higher Education Student
21 Assistance Act. A delegation of authority under this paragraph
22 may be revoked at any time by the member.

23 Failure of a member of the General Assembly to make a
24 nomination in any year shall not cause that scholarship to
25 lapse, but the member may make a nomination for such
26 scholarship at any time thereafter before the expiration of his

1 or her term, and the person so nominated shall be entitled to
2 the same benefits as holders of other scholarships provided
3 herein. Any such scholarship for which a member has made no
4 nomination prior to the expiration of the term for which he or
5 she was elected shall lapse upon the expiration of that term.

6 Any nominations made under this Section are subject to the
7 approval of a bipartisan nomination review committee to be
8 created jointly by the Speaker of the House and the President
9 of the Senate.

10 The General Assembly scholarship of a nominee shall be
11 revoked upon a determination by the State Board of Education,
12 after a hearing, that the member of the General Assembly making
13 the nomination awarded the scholarship in a fraudulent manner.
14 Upon revocation of the scholarship, the General Assembly member
15 shall personally reimburse the university for the full amount
16 of any tuition waived or he or she is thereafter ineligible for
17 reelection as a member of the General Assembly.

18 (Source: P.A. 97-772, eff. 7-11-12.)

19 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

20 Sec. 30-10. Filing nominations; failure
21 ~~nominations-Failure~~ to accept or pass; second pass-Second
22 nomination. Nominations under Section 30-9, showing the name
23 and address of the nominee and the term of the scholarship,
24 whether 4 years or one year, must be filed with the State
25 Superintendent of Education not later than the opening day of

1 the semester or term with which the scholarship is to become
2 effective. The State Superintendent of Education shall
3 forthwith notify the president of the university of such
4 nomination.

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

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

5 Any nominations made under this Section are subject to
6 approval of the nomination review committee created pursuant to
7 Section 30-9 of this Code.

8 (Source: P.A. 97-772, eff. 7-11-12.)

9 (105 ILCS 5/30-11) (from Ch. 122, par. 30-11)

10 Sec. 30-11. Failure to use scholarship; further
11 ~~scholarship~~ Further nominations. If any nominee under Section
12 30-9 or 30-10 discontinues his or her course of instruction or
13 fails to use the scholarship, leaving one, 2, 3, or 4 years
14 thereof unused, the member of the General Assembly may, except
15 as otherwise provided in this Article, nominate some other
16 person eligible under this Article from his or her district who
17 shall be entitled to the scholarship for the unexpired period
18 thereof. If a scholarship is vacated and the member of the
19 General Assembly who made the original appointment has ceased
20 to be a member, some eligible person may be nominated in the
21 following manner to fill the vacancy: if the original
22 appointment was made by a Senator, such nomination shall be
23 made by the Senator from the same district; if the original
24 appointment was made by a Representative, such nomination shall
25 be made by the Representative from the same district. Every

1 nomination to fill a vacancy must be accompanied either by a
2 release of the original nominee or, if he or she is dead, an
3 affidavit to that effect by some competent person. The failure
4 of a nominee to register at the university within 20 days after
5 the opening of any semester or term shall be deemed a release
6 by him or her of the nomination, unless he or she has been
7 granted a leave of absence in accordance with Section 30-14 or
8 unless his or her absence is by reason of his or her entry into
9 the military service of the United States. The university shall
10 immediately, upon the expiration of 20 days after the beginning
11 of the semester or term, notify the State Board of Education as
12 to the status of each scholarship, who shall forthwith notify
13 the nominating member of any nominee's failure to register or,
14 if the nominating member has ceased to be a member of the
15 General Assembly, shall notify the member or members entitled
16 to make the nomination to fill the vacancy. All nominations to
17 unused or unexpired scholarships shall be effective as of the
18 opening of the semester or term of the university during which
19 they are made if they are filed with the university during the
20 first half of the semester or term, otherwise they shall not be
21 effective until the opening of the next following semester or
22 term.

23 Any nominations made under this Section are subject to
24 approval of the nomination review committee created pursuant to
25 Section 30-9 of this Code.

26 (Source: P.A. 97-772, eff. 7-11-12.)

1 (105 ILCS 5/30-12) (from Ch. 122, par. 30-12)

2 Sec. 30-12. Failure to begin or discontinuance of course
3 because of military service. Any nominee, under Section 30-9,
4 30-10, or 30-11, who fails to begin or discontinues his or her
5 course of instruction because of his or her entry into the
6 military service of the United States, leaving all or a portion
7 of the scholarship unused, may, upon completion of such
8 service, use the scholarship or the unused portion thereof,
9 regardless of whether or not the member of the General Assembly
10 who nominated him or her is then a member; provided that during
11 the nominee's period of military service, no other person may
12 be nominated by such member to all or any portion of such
13 unused or unfinished scholarship unless the nomination is
14 accompanied either by a release of the original nominee or, if
15 he or she is dead, an affidavit to that effect by some
16 competent person.

17 Any nominations made under this Section are subject to
18 approval of the nomination review committee created pursuant to
19 Section 30-9 of this Code.

20 (Source: P.A. 97-772, eff. 7-11-12.)

21 (105 ILCS 5/30-12.5)

22 Sec. 30-12.5. Waiver of confidentiality.

23 (a) As a condition of nomination for a General Assembly
24 scholarship under Section 30-9, 30-10, 30-11, or 30-12, each

1 nominee shall provide to the member of the General Assembly
2 making the nomination a waiver document stating that,
3 notwithstanding any provision of law to the contrary, if the
4 nominee receives a General Assembly scholarship, then the
5 nominee waives all rights to confidentiality with respect to
6 the contents of the waiver document. The waiver document shall
7 state at a minimum the nominee's name, domicile address,
8 attending university, degree program in which the nominee is
9 enrolled, amount of tuition waived by the General Assembly
10 scholarship and the name of the member of the General Assembly
11 who is making the nomination. The waiver document shall also
12 contain a statement by the nominee that, at the time of the
13 nomination for the General Assembly scholarship, the domicile
14 of the nominee is within the legislative district of the
15 legislator making the scholarship nomination. The waiver
16 document must be signed by the nominee, and the nominee shall
17 have his or her signature on the waiver document acknowledged
18 before a notary public. The member of the General Assembly
19 making the nomination shall file the signed, notarized waiver
20 document, together with the nomination itself, with the State
21 Superintendent of Education. By so filing the waiver document,
22 the member waives all of his or her rights to confidentiality
23 with respect to the contents of the waiver document.

24 (b) The General Assembly scholarship of any nominee shall
25 be revoked upon a determination by the State Board of
26 Education, after a hearing, that the nominee knowingly provided

1 false or misleading information on the waiver document. Upon
2 revocation of the General Assembly scholarship, the
3 scholarship nominee shall reimburse the university for the full
4 amount of any tuition waived prior to revocation of the
5 scholarship.

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

10 (Source: P.A. 97-772, eff. 7-11-12.)

11 (105 ILCS 5/30-13) (from Ch. 122, par. 30-13)

12 Sec. 30-13. Use of scholarship at public university. The
13 scholarships issued under Sections 30-9 through 30-12 of this
14 Article may be used at the University of Illinois, Southern
15 Illinois University, Chicago State University, Eastern
16 Illinois University, Governors State University, Illinois
17 State University, Northeastern Illinois University, Northern
18 Illinois University, and Western Illinois University as
19 provided in those Sections. Unless otherwise indicated, these
20 scholarships shall be good for a period of not more than 4
21 years while enrolled for residence credit and shall exempt the
22 holder from the payment of tuition or any matriculation,
23 graduation, activity, term, or incidental fee, except any
24 portion of a multipurpose fee that is used for a purpose for
25 which exemption is not granted under this Section. Exemption

1 shall not be granted from any other fees, including book
2 rental, service, laboratory, supply, union building, hospital,
3 and medical insurance fees and any fees established for the
4 operation and maintenance of buildings, the income of which is
5 pledged to the payment of interest and principal on bonds
6 issued by the governing board of any university.

7 Any student who has been or shall be awarded a scholarship
8 shall be reimbursed by the appropriate university for any fees
9 that he or she has paid and for which exemption is granted
10 under this Section if application for such reimbursement is
11 made within 2 months following the term for which the fees were
12 paid.

13 The holder of a scholarship shall be subject to all
14 examinations, rules, and requirements of the university in
15 which he or she is enrolled except as herein directed.

16 This Article does not prohibit the Board of Trustees of the
17 University of Illinois, Southern Illinois University, Chicago
18 State University, Eastern Illinois University, Governors State
19 University, Illinois State University, Northeastern Illinois
20 University, Northern Illinois University, or Western Illinois
21 University from granting other scholarships.

22 (Source: P.A. 97-772, eff. 7-11-12.)

23 (105 ILCS 5/30-13.5)

24 Sec. 30-13.5. General Assembly scholarship program
25 previously abolished. Before September 1, 2012, each member of

1 the General Assembly may nominate persons to receive a
2 scholarship or certificate of scholarship under Sections 30-9,
3 30-10, 30-11, 30-12, 30-12.5, and 30-13 of this Code as they
4 existed before July 11, 2012 (the effective date of Public Act
5 97-772) ~~this amendatory Act of the 97th General Assembly~~. A
6 person nominated to receive or awarded such a scholarship or
7 certificate before September 1, 2012 is entitled to the
8 scholarship under the terms of Sections 30-9, 30-10, 30-11,
9 30-12, 30-12.5, and 30-13 of this Code as they existed before
10 July 11, 2012 (the effective date of Public Act 97-772) ~~this~~
11 ~~amendatory Act of the 97th General Assembly~~ and Section 30-14
12 of this Code.

13 (Source: P.A. 97-772, eff. 7-11-12.)