



Sen. William E. Brady

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09900SB1565sam001

LRB099 09130 NHT 32008 a

1 AMENDMENT TO SENATE BILL 1565

2 AMENDMENT NO. _____. Amend Senate Bill 1565 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The University of Illinois Act is amended by
5 adding Section 0.05 as follows:

6 (110 ILCS 305/0.05 new)

7 Sec. 0.05. Transition to nonpublic university.

8 (a) Beginning on July 1, 2015, the University of Illinois
9 shall transition into a nonpublic institution of higher
10 education. The Board of Trustees of the University of Illinois
11 shall develop and implement a 6-year plan for this transition.
12 This plan shall include all of the following:

13 (1) A date upon which the University shall be deemed to
14 be a nonpublic institution of higher education.

15 (2) The appointment, by the Board of Trustees, of a
16 governing board to oversee the nonpublic university.

1 (3) A determination of all books, records, funds, and
2 other property of any kind or nature belonging or in any
3 way appertaining to the University that this State shall be
4 required to transfer to the University.

5 (4) How employees, along with their health care,
6 retirement, and all other benefits, as well as any
7 collective bargaining agreements, are to be addressed.

8 (5) Recommendations concerning the changes to
9 statutory law needed to effectuate and reflect this
10 transition.

11 A copy of this plan shall be filed with the General
12 Assembly as provided in Section 3.1 of the General Assembly
13 Organization Act.

14 (b) On the date selected by the Board of Trustees under
15 subdivision (1) of subsection (a) of this Section, all of the
16 following shall apply:

17 (1) The Board of Trustees is abolished and the terms of
18 all members end, and all of the powers, duties, assets,
19 liabilities, employees, contracts, property, records,
20 pending business, and unexpended appropriations of the
21 Board of Trustees shall be transferred to the governing
22 board appointed under subdivision (2) of subsection (a) of
23 this Section.

24 (2) All rules, standards, policies, and procedures of
25 the University shall continue in effect until they are
26 modified or abolished by the governing board appointed

1 under subdivision (2) of subsection (a) of this Section.

2 (3) The authority of the Board of Higher Education over
3 public institutions of higher education does not include
4 authority over the University.

5 (4) All references in statutes and rules to the
6 University as a State university, a public university, or
7 an institution of higher education funded or supported by
8 this State shall be deemed to not refer to the University,
9 and all references to private or nonpublic institutions of
10 higher education in statutes and rules shall be deemed to
11 refer to the University.

12 (5) All books, records, funds, and other property of
13 any kind or nature belonging or in any way appertaining to
14 the University are the property of the University, and this
15 State shall be deemed to have no ownership interest.

16 Section 10. The Southern Illinois University Management
17 Act is amended by adding Section 1.5 as follows:

18 (110 ILCS 520/1.5 new)

19 Sec. 1.5. Transition to nonpublic university.

20 (a) Beginning on July 1, 2015, Southern Illinois University
21 shall transition into a nonpublic institution of higher
22 education. The Board of Trustees of Southern Illinois
23 University shall develop and implement a 6-year plan for this
24 transition. This plan shall include all of the following:

1 (1) A date upon which the University shall be deemed to
2 be a nonpublic institution of higher education.

3 (2) The appointment, by the Board of Trustees, of a
4 governing board to oversee the nonpublic university.

5 (3) A determination of all books, records, funds, and
6 other property of any kind or nature belonging or in any
7 way appertaining to the University that this State shall be
8 required to transfer to the University.

9 (4) How employees, along with their health care,
10 retirement, and all other benefits, as well as any
11 collective bargaining agreements, are to be addressed.

12 (5) Recommendations concerning the changes to
13 statutory law needed to effectuate and reflect this
14 transition.

15 A copy of this plan shall be filed with the General
16 Assembly as provided in Section 3.1 of the General Assembly
17 Organization Act.

18 (b) On the date selected by the Board of Trustees under
19 subdivision (1) of subsection (a) of this Section, all of the
20 following shall apply:

21 (1) The Board of Trustees is abolished and the terms of
22 all members end, and all of the powers, duties, assets,
23 liabilities, employees, contracts, property, records,
24 pending business, and unexpended appropriations of the
25 Board of Trustees shall be transferred to the governing
26 board appointed under subdivision (2) of subsection (a) of

1 this Section.

2 (2) All rules, standards, policies, and procedures of
3 the University shall continue in effect until they are
4 modified or abolished by the governing board appointed
5 under subdivision (2) of subsection (a) of this Section.

6 (3) The authority of the Board of Higher Education over
7 public institutions of higher education does not include
8 authority over the University.

9 (4) All references in statutes and rules to the
10 University as a State university, a public university, or
11 an institution of higher education funded or supported by
12 this State shall be deemed to not refer to the University,
13 and all references to private or nonpublic institutions of
14 higher education in statutes and rules shall be deemed to
15 refer to the University.

16 (5) All books, records, funds, and other property of
17 any kind or nature belonging or in any way appertaining to
18 the University are the property of the University, and this
19 State shall be deemed to have no ownership interest.

20 Section 15. The Chicago State University Law is amended by
21 adding Section 5-3 as follows:

22 (110 ILCS 660/5-3 new)

23 Sec. 5-3. Transition to nonpublic university.

24 (a) Beginning on July 1, 2015, Chicago State University

1 shall transition into a nonpublic institution of higher
2 education. The Board of Trustees of Chicago State University
3 shall develop and implement a 6-year plan for this transition.
4 This plan shall include all of the following:

5 (1) A date upon which the University shall be deemed to
6 be a nonpublic institution of higher education.

7 (2) The appointment, by the Board of Trustees, of a
8 governing board to oversee the nonpublic university.

9 (3) A determination of all books, records, funds, and
10 other property of any kind or nature belonging or in any
11 way appertaining to the University that this State shall be
12 required to transfer to the University.

13 (4) How employees, along with their health care,
14 retirement, and all other benefits, as well as any
15 collective bargaining agreements, are to be addressed.

16 (5) Recommendations concerning the changes to
17 statutory law needed to effectuate and reflect this
18 transition.

19 A copy of this plan shall be filed with the General
20 Assembly as provided in Section 3.1 of the General Assembly
21 Organization Act.

22 (b) On the date selected by the Board of Trustees under
23 subdivision (1) of subsection (a) of this Section, all of the
24 following shall apply:

25 (1) The Board of Trustees is abolished and the terms of
26 all members end, and all of the powers, duties, assets,

1 liabilities, employees, contracts, property, records,
2 pending business, and unexpended appropriations of the
3 Board of Trustees shall be transferred to the governing
4 board appointed under subdivision (2) of subsection (a) of
5 this Section.

6 (2) All rules, standards, policies, and procedures of
7 the University shall continue in effect until they are
8 modified or abolished by the governing board appointed
9 under subdivision (2) of subsection (a) of this Section.

10 (3) The authority of the Board of Higher Education over
11 public institutions of higher education does not include
12 authority over the University.

13 (4) All references in statutes and rules to the
14 University as a State university, a public university, or
15 an institution of higher education funded or supported by
16 this State shall be deemed to not refer to the University,
17 and all references to private or nonpublic institutions of
18 higher education in statutes and rules shall be deemed to
19 refer to the University.

20 (5) All books, records, funds, and other property of
21 any kind or nature belonging or in any way appertaining to
22 the University are the property of the University, and this
23 State shall be deemed to have no ownership interest.

24 Section 20. The Eastern Illinois University Law is amended
25 by adding Section 10-3 as follows:

1 (110 ILCS 665/10-3 new)

2 Sec. 10-3. Transition to nonpublic university.

3 (a) Beginning on July 1, 2015, Eastern Illinois University
4 shall transition into a nonpublic institution of higher
5 education. The Board of Trustees of Eastern Illinois University
6 shall develop and implement a 6-year plan for this transition.
7 This plan shall include all of the following:

8 (1) A date upon which the University shall be deemed to
9 be a nonpublic institution of higher education.

10 (2) The appointment, by the Board of Trustees, of a
11 governing board to oversee the nonpublic university.

12 (3) A determination of all books, records, funds, and
13 other property of any kind or nature belonging or in any
14 way appertaining to the University that this State shall be
15 required to transfer to the University.

16 (4) How employees, along with their health care,
17 retirement, and all other benefits, as well as any
18 collective bargaining agreements, are to be addressed.

19 (5) Recommendations concerning the changes to
20 statutory law needed to effectuate and reflect this
21 transition.

22 A copy of this plan shall be filed with the General
23 Assembly as provided in Section 3.1 of the General Assembly
24 Organization Act.

25 (b) On the date selected by the Board of Trustees under

1 subdivision (1) of subsection (a) of this Section, all of the
2 following shall apply:

3 (1) The Board of Trustees is abolished and the terms of
4 all members end, and all of the powers, duties, assets,
5 liabilities, employees, contracts, property, records,
6 pending business, and unexpended appropriations of the
7 Board of Trustees shall be transferred to the governing
8 board appointed under subdivision (2) of subsection (a) of
9 this Section.

10 (2) All rules, standards, policies, and procedures of
11 the University shall continue in effect until they are
12 modified or abolished by the governing board appointed
13 under subdivision (2) of subsection (a) of this Section.

14 (3) The authority of the Board of Higher Education over
15 public institutions of higher education does not include
16 authority over the University.

17 (4) All references in statutes and rules to the
18 University as a State university, a public university, or
19 an institution of higher education funded or supported by
20 this State shall be deemed to not refer to the University,
21 and all references to private or nonpublic institutions of
22 higher education in statutes and rules shall be deemed to
23 refer to the University.

24 (5) All books, records, funds, and other property of
25 any kind or nature belonging or in any way appertaining to
26 the University are the property of the University, and this

1 State shall be deemed to have no ownership interest.

2 Section 25. The Governors State University Law is amended
3 by adding Section 15-3 as follows:

4 (110 ILCS 670/15-3 new)

5 Sec. 15-3. Transition to nonpublic university.

6 (a) Beginning on July 1, 2015, Governors State University
7 shall transition into a nonpublic institution of higher
8 education. The Board of Trustees of Governors State University
9 shall develop and implement a 6-year plan for this transition.
10 This plan shall include all of the following:

11 (1) A date upon which the University shall be deemed to
12 be a nonpublic institution of higher education.

13 (2) The appointment, by the Board of Trustees, of a
14 governing board to oversee the nonpublic university.

15 (3) A determination of all books, records, funds, and
16 other property of any kind or nature belonging or in any
17 way appertaining to the University that this State shall be
18 required to transfer to the University.

19 (4) How employees, along with their health care,
20 retirement, and all other benefits, as well as any
21 collective bargaining agreements, are to be addressed.

22 (5) Recommendations concerning the changes to
23 statutory law needed to effectuate and reflect this
24 transition.

1 A copy of this plan shall be filed with the General
2 Assembly as provided in Section 3.1 of the General Assembly
3 Organization Act.

4 (b) On the date selected by the Board of Trustees under
5 subdivision (1) of subsection (a) of this Section, all of the
6 following shall apply:

7 (1) The Board of Trustees is abolished and the terms of
8 all members end, and all of the powers, duties, assets,
9 liabilities, employees, contracts, property, records,
10 pending business, and unexpended appropriations of the
11 Board of Trustees shall be transferred to the governing
12 board appointed under subdivision (2) of subsection (a) of
13 this Section.

14 (2) All rules, standards, policies, and procedures of
15 the University shall continue in effect until they are
16 modified or abolished by the governing board appointed
17 under subdivision (2) of subsection (a) of this Section.

18 (3) The authority of the Board of Higher Education over
19 public institutions of higher education does not include
20 authority over the University.

21 (4) All references in statutes and rules to the
22 University as a State university, a public university, or
23 an institution of higher education funded or supported by
24 this State shall be deemed to not refer to the University,
25 and all references to private or nonpublic institutions of
26 higher education in statutes and rules shall be deemed to

1 refer to the University.

2 (5) All books, records, funds, and other property of
3 any kind or nature belonging or in any way appertaining to
4 the University are the property of the University, and this
5 State shall be deemed to have no ownership interest.

6 Section 30. The Illinois State University Law is amended by
7 adding Section 20-3 as follows:

8 (110 ILCS 675/20-3 new)

9 Sec. 20-3. Transition to nonpublic university.

10 (a) Beginning on July 1, 2015, Illinois State University
11 shall transition into a nonpublic institution of higher
12 education. The Board of Trustees of Illinois State University
13 shall develop and implement a 6-year plan for this transition.
14 This plan shall include all of the following:

15 (1) A date upon which the University shall be deemed to
16 be a nonpublic institution of higher education.

17 (2) The appointment, by the Board of Trustees, of a
18 governing board to oversee the nonpublic university.

19 (3) A determination of all books, records, funds, and
20 other property of any kind or nature belonging or in any
21 way appertaining to the University that this State shall be
22 required to transfer to the University.

23 (4) How employees, along with their health care,
24 retirement, and all other benefits, as well as any

1 collective bargaining agreements, are to be addressed.

2 (5) Recommendations concerning the changes to
3 statutory law needed to effectuate and reflect this
4 transition.

5 A copy of this plan shall be filed with the General
6 Assembly as provided in Section 3.1 of the General Assembly
7 Organization Act.

8 (b) On the date selected by the Board of Trustees under
9 subdivision (1) of subsection (a) of this Section, all of the
10 following shall apply:

11 (1) The Board of Trustees is abolished and the terms of
12 all members end, and all of the powers, duties, assets,
13 liabilities, employees, contracts, property, records,
14 pending business, and unexpended appropriations of the
15 Board of Trustees shall be transferred to the governing
16 board appointed under subdivision (2) of subsection (a) of
17 this Section.

18 (2) All rules, standards, policies, and procedures of
19 the University shall continue in effect until they are
20 modified or abolished by the governing board appointed
21 under subdivision (2) of subsection (a) of this Section.

22 (3) The authority of the Board of Higher Education over
23 public institutions of higher education does not include
24 authority over the University.

25 (4) All references in statutes and rules to the
26 University as a State university, a public university, or

1 an institution of higher education funded or supported by
2 this State shall be deemed to not refer to the University,
3 and all references to private or nonpublic institutions of
4 higher education in statutes and rules shall be deemed to
5 refer to the University.

6 (5) All books, records, funds, and other property of
7 any kind or nature belonging or in any way appertaining to
8 the University are the property of the University, and this
9 State shall be deemed to have no ownership interest.

10 Section 35. The Northeastern Illinois University Law is
11 amended by adding Section 25-3 as follows:

12 (110 ILCS 680/25-3 new)

13 Sec. 25-3. Transition to nonpublic university.

14 (a) Beginning on July 1, 2015, Northeastern Illinois
15 University shall transition into a nonpublic institution of
16 higher education. The Board of Trustees of Northeastern
17 Illinois University shall develop and implement a 6-year plan
18 for this transition. This plan shall include all of the
19 following:

20 (1) A date upon which the University shall be deemed to
21 be a nonpublic institution of higher education.

22 (2) The appointment, by the Board of Trustees, of a
23 governing board to oversee the nonpublic university.

24 (3) A determination of all books, records, funds, and

1 other property of any kind or nature belonging or in any
2 way appertaining to the University that this State shall be
3 required to transfer to the University.

4 (4) How employees, along with their health care,
5 retirement, and all other benefits, as well as any
6 collective bargaining agreements, are to be addressed.

7 (5) Recommendations concerning the changes to
8 statutory law needed to effectuate and reflect this
9 transition.

10 A copy of this plan shall be filed with the General
11 Assembly as provided in Section 3.1 of the General Assembly
12 Organization Act.

13 (b) On the date selected by the Board of Trustees under
14 subdivision (1) of subsection (a) of this Section, all of the
15 following shall apply:

16 (1) The Board of Trustees is abolished and the terms of
17 all members end, and all of the powers, duties, assets,
18 liabilities, employees, contracts, property, records,
19 pending business, and unexpended appropriations of the
20 Board of Trustees shall be transferred to the governing
21 board appointed under subdivision (2) of subsection (a) of
22 this Section.

23 (2) All rules, standards, policies, and procedures of
24 the University shall continue in effect until they are
25 modified or abolished by the governing board appointed
26 under subdivision (2) of subsection (a) of this Section.

1 (3) The authority of the Board of Higher Education over
2 public institutions of higher education does not include
3 authority over the University.

4 (4) All references in statutes and rules to the
5 University as a State university, a public university, or
6 an institution of higher education funded or supported by
7 this State shall be deemed to not refer to the University,
8 and all references to private or nonpublic institutions of
9 higher education in statutes and rules shall be deemed to
10 refer to the University.

11 (5) All books, records, funds, and other property of
12 any kind or nature belonging or in any way appertaining to
13 the University are the property of the University, and this
14 State shall be deemed to have no ownership interest.

15 Section 40. The Northern Illinois University Law is amended
16 by adding Section 30-3 as follows:

17 (110 ILCS 685/30-3 new)

18 Sec. 30-3. Transition to nonpublic university.

19 (a) Beginning on July 1, 2015, Northern Illinois University
20 shall transition into a nonpublic institution of higher
21 education. The Board of Trustees of Northern Illinois
22 University shall develop and implement a 6-year plan for this
23 transition. This plan shall include all of the following:

24 (1) A date upon which the University shall be deemed to

1 be a nonpublic institution of higher education.

2 (2) The appointment, by the Board of Trustees, of a
3 governing board to oversee the nonpublic university.

4 (3) A determination of all books, records, funds, and
5 other property of any kind or nature belonging or in any
6 way appertaining to the University that this State shall be
7 required to transfer to the University.

8 (4) How employees, along with their health care,
9 retirement, and all other benefits, as well as any
10 collective bargaining agreements, are to be addressed.

11 (5) Recommendations concerning the changes to
12 statutory law needed to effectuate and reflect this
13 transition.

14 A copy of this plan shall be filed with the General
15 Assembly as provided in Section 3.1 of the General Assembly
16 Organization Act.

17 (b) On the date selected by the Board of Trustees under
18 subdivision (1) of subsection (a) of this Section, all of the
19 following shall apply:

20 (1) The Board of Trustees is abolished and the terms of
21 all members end, and all of the powers, duties, assets,
22 liabilities, employees, contracts, property, records,
23 pending business, and unexpended appropriations of the
24 Board of Trustees shall be transferred to the governing
25 board appointed under subdivision (2) of subsection (a) of
26 this Section.

1 (2) All rules, standards, policies, and procedures of
2 the University shall continue in effect until they are
3 modified or abolished by the governing board appointed
4 under subdivision (2) of subsection (a) of this Section.

5 (3) The authority of the Board of Higher Education over
6 public institutions of higher education does not include
7 authority over the University.

8 (4) All references in statutes and rules to the
9 University as a State university, a public university, or
10 an institution of higher education funded or supported by
11 this State shall be deemed to not refer to the University,
12 and all references to private or nonpublic institutions of
13 higher education in statutes and rules shall be deemed to
14 refer to the University.

15 (5) All books, records, funds, and other property of
16 any kind or nature belonging or in any way appertaining to
17 the University are the property of the University, and this
18 State shall be deemed to have no ownership interest.

19 Section 45. The Western Illinois University Law is amended
20 by adding Section 35-3 as follows:

21 (110 ILCS 690/35-3 new)

22 Sec. 35-3. Transition to nonpublic university.

23 (a) Beginning on July 1, 2015, Western Illinois University
24 shall transition into a nonpublic institution of higher

1 education. The Board of Trustees of Western Illinois University
2 shall develop and implement a 6-year plan for this transition.
3 This plan shall include all of the following:

4 (1) A date upon which the University shall be deemed to
5 be a nonpublic institution of higher education.

6 (2) The appointment, by the Board of Trustees, of a
7 governing board to oversee the nonpublic university.

8 (3) A determination of all books, records, funds, and
9 other property of any kind or nature belonging or in any
10 way appertaining to the University that this State shall be
11 required to transfer to the University.

12 (4) How employees, along with their health care,
13 retirement, and all other benefits, as well as any
14 collective bargaining agreements, are to be addressed.

15 (5) Recommendations concerning the changes to
16 statutory law needed to effectuate and reflect this
17 transition.

18 A copy of this plan shall be filed with the General
19 Assembly as provided in Section 3.1 of the General Assembly
20 Organization Act.

21 (b) On the date selected by the Board of Trustees under
22 subdivision (1) of subsection (a) of this Section, all of the
23 following shall apply:

24 (1) The Board of Trustees is abolished and the terms of
25 all members end, and all of the powers, duties, assets,
26 liabilities, employees, contracts, property, records,

1 pending business, and unexpended appropriations of the
2 Board of Trustees shall be transferred to the governing
3 board appointed under subdivision (2) of subsection (a) of
4 this Section.

5 (2) All rules, standards, policies, and procedures of
6 the University shall continue in effect until they are
7 modified or abolished by the governing board appointed
8 under subdivision (2) of subsection (a) of this Section.

9 (3) The authority of the Board of Higher Education over
10 public institutions of higher education does not include
11 authority over the University.

12 (4) All references in statutes and rules to the
13 University as a State university, a public university, or
14 an institution of higher education funded or supported by
15 this State shall be deemed to not refer to the University,
16 and all references to private or nonpublic institutions of
17 higher education in statutes and rules shall be deemed to
18 refer to the University.

19 (5) All books, records, funds, and other property of
20 any kind or nature belonging or in any way appertaining to
21 the University are the property of the University, and this
22 State shall be deemed to have no ownership interest.

23 Section 50. The Higher Education Student Assistance Act is
24 amended by adding Section 65.90 as follows:

1 (110 ILCS 947/65.90 new)

2 Sec. 65.90. Illinois Grant Program.

3 (a) Beginning with the 2015-2016 academic year, the
4 Commission shall, each year, consider applications for grant
5 assistance under this Section. An applicant is eligible for a
6 grant under this Section if the Commission finds that the
7 applicant meets all of the following qualifications:

8 (1) He or she is a United States citizen or eligible
9 noncitizen.

10 (2) He or she is a resident of this State or, if a
11 dependent for income tax purposes, the parent whose
12 information is used on the Free Application for Federal
13 Student Aid is a resident of this State. State residency
14 shall be determined by the filing of a State income tax
15 return.

16 (3) If a male, he has complied with federal Selective
17 Service registration requirements.

18 (4) He or she has not been incarcerated.

19 (5) He or she is enrolled, for at least 15 credit
20 hours, in an institution of higher learning and has not
21 earned a bachelor's degree yet. A grant recipient must
22 submit proof to the Commission each semester that he or she
23 is still enrolled in the institution of higher learning.

24 (6) He or she demonstrates financial need, as
25 determined by the Commission.

26 (7) He or she maintains satisfactory academic

1 progress, as determined by the institution.

2 (8) He or she is not in default on any educational loan
3 or does not owe a refund on any State or federal
4 educational grant.

5 (b) Each year the Commission shall award grants under this
6 Section among applicants qualified pursuant to subsection (a)
7 of this Section. The Commission shall receive funding for the
8 grants through appropriations. The amount to be appropriated
9 for the grant program for the 2021 fiscal year and each fiscal
10 year thereafter shall equal the total amount appropriated to
11 State universities from the General Revenue Fund for the 2015
12 fiscal year, with the amount appropriated for the grant program
13 for the 2016 fiscal year through the 2020 fiscal year being
14 equal to a percentage of the total amount appropriated to State
15 universities from the General Revenue Fund for the 2015 fiscal
16 year, with that percentage increasing each of those fiscal
17 years until the amount appropriated for the grant program for
18 the 2021 fiscal year equals 100% of the total amount
19 appropriated to State universities from the General Revenue
20 Fund for the 2015 fiscal year. No amounts may be appropriated
21 to State universities from the General Revenue Fund beginning
22 with the 2021 fiscal year, with the amount appropriated to
23 State universities from the General Revenue Fund for the 2016
24 fiscal year through the 2020 fiscal year being reduced in an
25 amount at least equal to the amount being appropriated for the
26 grant program for that particular fiscal year. The amount of

1 each grant shall equal the amount appropriated for the grant
2 program for a given fiscal year divided by the number of
3 applicants who qualify for a grant.

4 (c) The total amount of grant assistance awarded by the
5 Commission under this Section to an individual in any given
6 fiscal year, when added to other financial assistance awarded
7 to that individual for that year, shall not exceed the cost of
8 attendance at the institution at which the student is enrolled.

9 (d) Payment of any grant under this Section shall be
10 determined by the Commission. All grant funds distributed in
11 accordance with this Section shall be paid to the institution
12 on behalf of the recipients. Grant funds are applicable toward
13 tuition for 2 semesters or 3 quarters of enrollment within an
14 academic year.

15 (e) Prior to receiving grant assistance for any academic
16 year, each recipient of a grant under this Section shall be
17 required by the Commission to sign an agreement under which the
18 recipient agrees to the following terms:

19 (1) If a grant recipient graduates from an institution
20 in 4 years or less, he or she must repay one-half of the
21 total amount of grants received under this Section.

22 (2) If a grant recipient does not graduate from an
23 institution in 4 years or less, he or she must repay the
24 total amount of grants received under this Section
25 immediately over a 10-year period, with interest equal to
26 the prime commercial rate of interest as from time to time

1 is publicly announced by the largest commercial banking
2 institution located in this State measured in terms of
3 total assets, but in no event may the amount he or she is
4 required to repay each year exceed 6% of his or her annual
5 income. However, if the grant recipient graduates from an
6 institution within that 10-year period, the Commission
7 shall forgive one-half of the total amount of grants
8 received under this Section and adjust the amount he or she
9 must repay.

10 (3) If the grant recipient resides in this State
11 immediately following graduation from an institution, the
12 Commission shall forgive, for each year of residency,
13 one-eighth of the remaining grant amount owed.

14 Each recipient shall, upon request of the Commission,
15 provide the Commission with evidence that he or she is
16 fulfilling or has fulfilled the terms of the agreement provided
17 for in this subsection (e).

18 The Commission is authorized to establish rules relating to
19 its collection activities for repayment of grants under this
20 Section, including the imposition of reasonable collection
21 fees.

22 (f) A recipient of a grant under this Section is not in
23 violation of the agreement entered into pursuant to subsection
24 (e) of this Section if the recipient (i) is serving as a member
25 of the armed services of the United States; (ii) is enrolled in
26 a graduate program following graduation from an institution;

1 (iii) is temporarily totally disabled, as established by sworn
2 affidavit of a qualified physician; or (iii) cannot fulfill the
3 obligation due to his or her death, disability, or
4 incompetency, as established by sworn affidavit of a qualified
5 physician. No claim for repayment may be filed against the
6 estate of such a decedent or incompetent. Any extension of the
7 period during which the obligation must be fulfilled is subject
8 to limitations of duration as established by the Commission.

9 (h) The Commission shall administer the grant program
10 established by this Section and shall make all necessary and
11 proper rules not inconsistent with this Section for its
12 effective implementation.

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