

1 AN ACT concerning higher education student assistance.

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 adding Section 65.70 as follows:

6 (110 ILCS 947/65.70 new)

7 Sec. 65.70. Optometric Education Scholarship Program.

8 (a) The General Assembly finds and declares that the
9 provision of graduate education leading to a doctoral degree
10 in optometry for persons of this State who desire such an
11 education is important to the health and welfare of this
12 State and Nation and, consequently, is an important public
13 purpose. Many qualified potential optometrists are deterred
14 by financial considerations from pursuing their optometric
15 education with consequent irreparable loss to the State and
16 Nation of talents vital to health and welfare. A program of
17 scholarships, repayment of which may be excused if the
18 individual practices professional optometry in this State,
19 will enable such individuals to attend qualified public or
20 private institutions of their choice in the State.

21 (b) Beginning with the 2003-2004 academic year, the
22 Commission shall, each year, consider applications for
23 scholarship assistance under this Section. An applicant is
24 eligible for a scholarship under this Section if the
25 Commission finds that the applicant is:

- 26 (1) a United States citizen or eligible noncitizen;
- 27 (2) a resident of Illinois; and
- 28 (3) enrolled on a full-time basis in a public or
29 private college of optometry located in this State that
30 awards a doctorate degree in optometry and is approved by
31 the Department of Professional Regulation.

1 (c) Each year the Commission shall award 10 scholarships
2 under this Section among applicants qualified pursuant to
3 subsection (b). Two of these scholarships each shall be
4 awarded to eligible applicants enrolled in their first year,
5 second year, third year, and fourth year. The remaining 2
6 scholarships shall be awarded to any level of student. The
7 Commission shall receive funding for the scholarships through
8 appropriations from the Optometric Licensing and Disciplinary
9 Board Fund. If in any year the number of qualified applicants
10 exceeds the number of scholarships to be awarded, the
11 Commission shall give priority in awarding scholarships to
12 students demonstrating exceptional merit and who are in
13 financial need. A scholarship shall be in the amount of
14 \$5,000 each year applicable to tuition and fees.

15 (d) The total amount of scholarship assistance awarded
16 by the Commission under this Section to an individual in any
17 given fiscal year, when added to other financial assistance
18 awarded to that individual for that year, shall not exceed
19 the cost of attendance at the institution at which the
20 student is enrolled.

21 (e) A recipient may receive up to 8 semesters or 12
22 quarters of scholarship assistance under this Section.

23 (f) Subject to a separate appropriation made for such
24 purposes, payment of any scholarship awarded under this
25 Section shall be determined by the Commission. All
26 scholarship funds distributed in accordance with this Section
27 shall be paid to the institution on behalf of the recipients.
28 Scholarship funds are applicable toward 2 semesters or 3
29 quarters of enrollment within an academic year.

30 (g) The Commission shall administer the Optometric
31 Education Scholarship Program established by this Section and
32 shall make all necessary and proper rules not inconsistent
33 with this Section for its effective implementation.

34 (h) Prior to receiving scholarship assistance for any

1 academic year, each recipient of a scholarship awarded under
2 this Section shall be required by the Commission to sign an
3 agreement under which the recipient pledges that, within the
4 one-year period following the termination of the academic
5 program for which the recipient was awarded a scholarship,
6 the recipient shall practice in this State as a licensed
7 optometrist under the Illinois Optometric Practice Act of
8 1987 for a period of not less than one year for each year of
9 scholarship assistance awarded under this Section. Each
10 recipient shall, upon request of the Commission, provide the
11 Commission with evidence that he or she is fulfilling or has
12 fulfilled the terms of the practice agreement provided for in
13 this subsection.

14 (i) If a recipient of a scholarship awarded under this
15 Section fails to fulfill the practice obligation set forth in
16 subsection (h) of this Section, the Commission shall require
17 the recipient to repay the amount of the scholarships
18 received, prorated according to the fraction of the
19 obligation not completed, plus interest at a rate of 5% and,
20 if applicable, reasonable collection fees. The Commission is
21 authorized to establish rules relating to its collection
22 activities for repayment of scholarships under this Section.

23 (j) A recipient of a scholarship awarded by the
24 Commission under this Section shall not be in violation of
25 the agreement entered into pursuant to subsection (h) if the
26 recipient (i) is serving as a member of the armed services of
27 the United States; (ii) is enrolled in a residency program
28 following graduation at an approved institution; (iii) is
29 temporarily totally disabled, as established by sworn
30 affidavit of a qualified physician; or (iii) cannot fulfill
31 the employment obligation due to his or her death,
32 disability, or incompetency, as established by sworn
33 affidavit of a qualified physician. No claim for repayment
34 may be filed against the estate of such a decedent or

1 incompetent. Any extension of the period during which the
2 employment requirement must be fulfilled shall be subject to
3 limitations of duration as established by the Commission.

4 Section 10. The Illinois Optometric Practice Act of 1987
5 is amended by changing Section 20 as follows:

6 (225 ILCS 80/20) (from Ch. 111, par. 3920)
7 (Section scheduled to be repealed on January 1, 2007)

8 Sec. 20. Fund. All moneys received by the Department
9 pursuant to this Act shall be deposited in the Optometric
10 Licensing and Disciplinary Board Fund, which is hereby
11 created as a special fund in the State Treasury, and shall be
12 used ~~only~~ for the administration of this Act, including: (a)
13 by the Board in the exercise of its powers and performance of
14 its duties, as such use is made by the Department with full
15 consideration of all recommendations of the Board; (b) for
16 costs directly related to license renewal of persons licensed
17 under this Act; and (c) for direct and allocable indirect
18 costs related to the public purposes of the Department of
19 Professional Regulation. Subject to appropriation, moneys in
20 the Optometric Licensing and Disciplinary Board Fund may be
21 used for the Optometric Education Scholarship Program
22 administered by the Illinois Student Assistance Commission
23 pursuant to Section 65.70 of the Higher Education Student
24 Assistance Act.

25 Moneys in the Fund may be transferred to the Professions
26 Indirect Cost Fund as authorized under Section 2105-300 of
27 the Department of Professional Regulation Law (20 ILCS
28 2105/2105-300).

29 Money in the Optometric Licensing and Disciplinary Board
30 Fund may be invested and reinvested, with all earnings
31 received from such investment to be deposited in the
32 Optometric Licensing and Disciplinary Board Fund and used for

1 the same purposes as fees deposited in such fund.

2 Any monies in the Optometric Examining and Disciplinary
3 Board Fund on the effective date of this Act shall be
4 transferred to the Optometric Licensing and Disciplinary
5 Board Fund.

6 Any obligations of the Optometric Examining and
7 Disciplinary Board Fund unpaid on the effective date of this
8 Act shall be paid from the Optometric Licensing and
9 Disciplinary Board Fund.

10 (Source: P.A. 91-239, eff. 1-1-00.)

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