



Rep. Emanuel Chris Welch

**Filed: 10/25/2019**

10100HB0743ham001

LRB101 03381 RJF 64037 a

1 AMENDMENT TO HOUSE BILL 743

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 743 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Private Colleges and Universities Capital  
5 Distribution Formula Act is amended by changing Section 25-15  
6 as follows:

7 (30 ILCS 769/25-15)

8 Sec. 25-15. Transfer of funds to another independent  
9 college.

10 (a) If an institution received a grant under this Article  
11 and subsequently fails to meet the definition of "independent  
12 college", the remaining funds shall be re-distributed as  
13 provided in Section 25-10, unless the campus or facilities for  
14 which the grant was given are operated by another institution  
15 that qualifies as an independent college under this Article.

16 (a-5) Notwithstanding the provisions of subsection (a), if

1 an institution received a grant under this Article and  
2 subsequently fails to meet the definition of "independent  
3 college" due to the institution being acquired and operated by  
4 the University of Illinois, no refund of expended grant funds  
5 shall be required and the remaining funds shall not be  
6 re-distributed as provided under Section 25-10. The entire  
7 balance of the grant provided under this Article remaining on  
8 the date the acquired former independent college ceased  
9 operations and came under the control of the University of  
10 Illinois, including any amount that had been withheld after the  
11 acquired former independent college ceased operations, shall  
12 be transferred to the University of Illinois, as successor to  
13 the independent college, for the purpose of operating those  
14 facilities for the duration of the grant. The provisions of  
15 this subsection (a-5) apply to any acquisition of an  
16 independent college by the University of Illinois occurring on  
17 and after August 15, 2019.

18 (b) If the facilities of a former independent college are  
19 operated by another entity that qualifies as an independent  
20 college as provided in subsection (a) of this Section, then the  
21 entire balance of the grant provided under this Article  
22 remaining on the date the former independent college ceased  
23 operations, including any amount that had been withheld after  
24 the former independent college ceased operations, shall be  
25 transferred to the successor independent college for the  
26 purpose of operating those facilities for the duration of the

1 grant.

2 (c) In the event that, on or before the effective date of  
3 this amendatory Act of the 98th General Assembly, the remaining  
4 funds have been re-allocated or re-distributed to other  
5 independent colleges, or the Illinois Board of Higher Education  
6 has planned for the remaining funds to be re-allocated or  
7 re-distributed to other independent colleges, before the  
8 5-year period provided under this Act for the utilization of  
9 funds has ended, any funds so re-allocated or re-distributed  
10 shall be deducted from future allocations to those other  
11 independent colleges and re-allocated or re-distributed to the  
12 initial institution or the successor entity operating the  
13 facilities of the original institution if: (i) the institution  
14 that failed to meet the definition of "independent college"  
15 once again meets the definition of "independent college" before  
16 the 5-year period has expired; or (ii) the facility or  
17 facilities of the former independent college are operated by  
18 another entity that qualifies as an independent college before  
19 the 5-year period has expired.

20 (Source: P.A. 101-10, eff. 6-5-19.)".