



Rep. Debbie Meyers-Martin

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LRB101 10835 AXK 60166 a

1 AMENDMENT TO SENATE BILL 1255

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1255 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 30-14.2 as follows:

6 (105 ILCS 5/30-14.2) (from Ch. 122, par. 30-14.2)  
7 Sec. 30-14.2. MIA/POW scholarships.

8 (a) Any spouse, natural child, legally adopted child, or  
9 stepchild ~~step-child~~ of an eligible veteran or serviceperson  
10 who possesses all necessary entrance requirements shall, upon  
11 application and proper proof, be awarded a MIA/POW Scholarship  
12 consisting of the equivalent of 4 calendar years of full-time  
13 enrollment including summer terms, to the state supported  
14 Illinois institution of higher learning of his choice, subject  
15 to the restrictions listed below.

16 "Eligible veteran or serviceperson" means any veteran or

1 serviceperson, including an Illinois National Guard member who  
2 is on active duty or is active on a training assignment, who  
3 has been declared by the U.S. Department of Defense or the U.S.  
4 Department of Veterans Affairs to be a prisoner of war, be  
5 missing in action, have died as the result of a  
6 service-connected disability or have become a person with a  
7 permanent disability from service-connected causes with 100%  
8 disability and who (i) at the time of entering service was an  
9 Illinois resident, (ii) was an Illinois resident within 6  
10 months after entering such service, or (iii) is a resident of  
11 Illinois at the time of application for the Scholarship and, at  
12 some point after leaving such service, was a resident of  
13 Illinois for at least 15 consecutive years ~~until July 1, 2014,~~  
14 ~~became an Illinois resident within 6 months after leaving the~~  
15 ~~service and can establish at least 30 years of continuous~~  
16 ~~residency in the State of Illinois.~~

17 Full-time enrollment means 12 or more semester hours of  
18 courses per semester, or 12 or more quarter hours of courses  
19 per quarter, or the equivalent thereof per term. Scholarships  
20 utilized by dependents enrolled in less than full-time study  
21 shall be computed in the proportion which the number of hours  
22 so carried bears to full-time enrollment.

23 Scholarships awarded under this Section may be used by a  
24 spouse or child without regard to his or her age. The holder of  
25 a Scholarship awarded under this Section shall be subject to  
26 all examinations and academic standards, including the

1 maintenance of minimum grade levels, that are applicable  
2 generally to other enrolled students at the Illinois  
3 institution of higher learning where the Scholarship is being  
4 used. If the surviving spouse remarries or if there is a  
5 divorce between the veteran or serviceperson and his or her  
6 spouse while the dependent is pursuing his or her course of  
7 study, Scholarship benefits will be terminated at the end of  
8 the term for which he or she is presently enrolled. Such  
9 dependents shall also be entitled, upon proper proof and  
10 application, to enroll in any extension course offered by a  
11 State supported Illinois institution of higher learning  
12 without payment of tuition and approved fees.

13 The holder of a MIA/POW Scholarship authorized under this  
14 Section shall not be required to pay any matriculation or  
15 application fees, tuition, activities fees, graduation fees or  
16 other fees, except multipurpose building fees or similar fees  
17 for supplies and materials.

18 Any dependent who has been or shall be awarded a MIA/POW  
19 Scholarship shall be reimbursed by the appropriate institution  
20 of higher learning for any fees which he or she has paid and  
21 for which exemption is granted under this Section if  
22 application for reimbursement is made within 2 months following  
23 the end of the school term for which the fees were paid.

24 (b) In lieu of the benefit provided in subsection (a), any  
25 spouse, natural child, legally adopted child, or step-child of  
26 an eligible veteran or serviceperson, which spouse or child has

1 a physical, mental or developmental disability, shall be  
2 entitled to receive, upon application and proper proof, a  
3 benefit to be used for the purpose of defraying the cost of the  
4 attendance or treatment of such spouse or child at one or more  
5 appropriate therapeutic, rehabilitative or educational  
6 facilities. The application and proof may be made by the parent  
7 or legal guardian of the spouse or child on his or her behalf.

8 The total benefit provided to any beneficiary under this  
9 subsection shall not exceed the cost equivalent of 4 calendar  
10 years of full-time enrollment, including summer terms, at the  
11 University of Illinois. Whenever practicable in the opinion of  
12 the Department of Veterans' Affairs, payment of benefits under  
13 this subsection shall be made directly to the facility, the  
14 cost of attendance or treatment at which is being defrayed, as  
15 such costs accrue.

16 (c) The benefits of this Section shall be administered by  
17 and paid for out of funds made available to the Illinois  
18 Department of Veterans' Affairs. The amounts that become due to  
19 any state supported Illinois institution of higher learning  
20 shall be payable by the Comptroller to such institution on  
21 vouchers approved by the Illinois Department of Veterans'  
22 Affairs. The amounts that become due under subsection (b) of  
23 this Section shall be payable by warrant upon vouchers issued  
24 by the Illinois Department of Veterans' Affairs and approved by  
25 the Comptroller. The Illinois Department of Veterans' Affairs  
26 shall determine the eligibility of the persons who make

1 application for the benefits provided for in this Section.

2 (d) A spouse, natural child, legally adopted child, or  
3 stepchild of an eligible veteran or serviceperson is not  
4 eligible to receive any benefits under this Section if he or  
5 she is receiving grant assistance under Section 40 of the  
6 Higher Education Student Assistance Act.

7 (Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15;  
8 100-201, eff. 8-18-17.)

9 Section 10. The Higher Education Student Assistance Act is  
10 amended by changing Section 40 as follows:

11 (110 ILCS 947/40)

12 Sec. 40. Illinois Veteran grant program.

13 (a) As used in this Section:

14 "Qualified applicant" means a person who served in the  
15 Armed Forces of the United States, a Reserve component of the  
16 Armed Forces, or the Illinois National Guard, excluding members  
17 of the Reserve Officers' Training Corps and those whose only  
18 service has been attendance at a service academy, and who meets  
19 all of the ~~following~~ qualifications of either paragraphs (1)  
20 through (4) or paragraphs (2), (3), and (5):

21 (1) At the time of entering federal active duty service  
22 the person was one of the following:

23 (A) An Illinois resident.

24 (B) An Illinois resident within 6 months of

1 entering such service.

2 (C) Enrolled at a State-controlled university or  
3 public community college in this State.

4 (2) The person meets one of the following requirements:

5 (A) He or she served at least one year of federal  
6 active duty.

7 (B) He or she served less than one year of federal  
8 active duty and received an honorable discharge for  
9 medical reasons directly connected with such service.

10 (C) He or she served less than one year of federal  
11 active duty and was discharged prior to August 11,  
12 1967.

13 (D) He or she served less than one year of federal  
14 active duty in a foreign country during a time of  
15 hostilities in that foreign country.

16 (3) The person received an honorable discharge after  
17 leaving each period of federal active duty service.

18 (4) The person returned to this State within 6 months  
19 after leaving federal active duty service, or, if married  
20 to a person in continued military service stationed outside  
21 this State, returned to this State within 6 months after  
22 his or her spouse left service or was stationed within this  
23 State.

24 (5) The person does not meet the requirements of  
25 paragraph (1), but (i) is a resident of Illinois at the  
26 time of application to the Commission and (ii) at some

1 point after leaving federal active duty service, was a  
2 resident of Illinois for at least 15 consecutive years.

3 "Qualified dependent" means any spouse or natural born or  
4 legally adopted child of a veteran of the United States Armed  
5 Forces who meets all of the following qualifications:

6 (1) Has earned a high school diploma or high school  
7 equivalency certificate and is less than 26 years of age,  
8 unless granted an extension by the Commission due to a  
9 qualifying illness or debilitating condition.

10 (2) Meets the cumulative grade point average  
11 requirements of the postsecondary institution.

12 (3) Is a resident of Illinois for the term in which the  
13 grant under subsection (i) is transferred.

14 "Time of hostilities" means any action by the Armed Forces  
15 of the United States that is recognized by the issuance of a  
16 Presidential proclamation or a Presidential executive order  
17 and in which the Armed Forces expeditionary medal or other  
18 campaign service medals are awarded according to Presidential  
19 executive order.

20 (b) A person who otherwise qualifies under the definition  
21 of "qualified applicant" under subsection (a) of this Section  
22 but has not left federal active duty service and has served at  
23 least one year of federal active duty or has served for less  
24 than one year of federal active duty in a foreign country  
25 during a time of hostilities in that foreign country and who  
26 can provide documentation demonstrating an honorable service

1 record is eligible to receive assistance under this Section.

2 (c) A grant recipient ~~qualified applicant~~ is not required  
3 to pay any tuition or mandatory fees while attending a  
4 State-controlled university or public community college in  
5 this State for a period that is equivalent to 4 years of  
6 full-time enrollment, including summer terms.

7 A qualified applicant who has previously received benefits  
8 under this Section for a non-mandatory fee shall continue to  
9 receive benefits covering such fees while he or she is enrolled  
10 in a continuous program of study. The qualified applicant shall  
11 no longer receive a grant covering non-mandatory fees if he or  
12 she fails to enroll during an academic term, unless he or she  
13 is serving federal active duty service.

14 (d) A person ~~qualified applicant~~ who has been or is to be  
15 awarded assistance under this Section shall receive that  
16 assistance if the person ~~qualified applicant~~ notifies his or  
17 her postsecondary institution of that fact by the end of the  
18 school term for which assistance is requested.

19 (e) Assistance under this Section is considered an  
20 entitlement that the State-controlled college or public  
21 community college in which the person ~~qualified applicant~~ is  
22 enrolled shall honor without any condition other than the  
23 person's ~~qualified applicant's~~ maintenance of minimum grade  
24 levels and a satisfactory student loan repayment record  
25 pursuant to subsection (c) of Section 20 of this Act.

26 (f) The Commission shall administer the grant program



1 established by this Section and shall make all necessary and  
2 proper rules not inconsistent with this Section for its  
3 effective implementation.

4 (g) All applications for assistance under this Section must  
5 be made to the Commission on forms that the Commission shall  
6 provide. The Commission shall determine the form of application  
7 and the information required to be set forth in the  
8 application, and the Commission shall require ~~qualified~~  
9 applicants to submit with their applications any supporting  
10 documents that the Commission deems necessary. Upon request,  
11 the Department of Veterans' Affairs shall assist the Commission  
12 in determining the eligibility of applicants for assistance  
13 under this Section.

14 (h) Assistance under this Section is available as long as  
15 the federal government provides educational benefits to  
16 veterans. Assistance must not be paid under this Section after  
17 6 months following the termination of educational benefits to  
18 veterans by the federal government, except for persons who  
19 already have begun their education with assistance under this  
20 Section. If the federal government terminates educational  
21 benefits to veterans and at a later time resumes those  
22 benefits, assistance under this Section shall resume.

23 (i) Beginning with the 2020-2021 academic year, a grant  
24 awarded under this Section may be transferred to a qualified  
25 dependent if the qualified dependent's spouse or parent meets  
26 all of the following qualifications:

1           (1) He or she is a qualified applicant under subsection  
2           (a) or (b).

3           (2) He or she has served at least 8 years combined of  
4           federal active duty service or Reserve or Individual Ready  
5           Reserve service.

6           (3) He or she has no federal veterans' educational  
7           benefits or no federal veterans' educational benefits  
8           dedicated only to the payment of tuition and fees, such as  
9           Chapter 31 or 33 benefits, for an enrolled term or semester  
10           that exceed the value of a grant under this Section.

11           (4) He or she is a resident of Illinois during the term  
12           of the qualified dependent's enrollment unless the veteran  
13           has been recalled to active duty outside the State or has  
14           rejoined the military and is outside the State pursuant to  
15           military orders. However, a veteran who has a  
16           service-connected disability rating, as determined by the  
17           U.S. Department of Veterans Affairs, of 90% to 100% or is  
18           unemployable based on a total disability, as determined by  
19           the U.S. Department of Veterans Affairs, is not required to  
20           maintain Illinois residency while his or her qualified  
21           dependent receives benefits under this subsection.

22           A qualified dependent of a person who was killed in the  
23           line of duty, was a prisoner of war, was missing in action, had  
24           a service-connected disability rating, as determined by the  
25           U.S. Department of Veterans Affairs, of 90% to 100%, was  
26           unemployable based on a total disability, as determined by the

1 U.S. Department of Veterans Affairs, or died as a result of  
2 injury or illness directly related to his or her military  
3 service is eligible for a grant transfer of no less than 120  
4 credit hours under this subsection if the spouse or parent  
5 would have otherwise met the qualifications under this  
6 subsection. A dependent who is a natural born or legally  
7 adopted child of a veteran may still qualify for a grant under  
8 this subsection if he or she marries or if his or her parents  
9 divorce.

10 Benefits under this Section may not be used simultaneously  
11 by both the veteran and his or her qualified dependent. A  
12 veteran may revoke or otherwise change the transfer of his or  
13 her benefits to a qualified dependent under this subsection at  
14 any time but may not transfer his or her benefits to the same  
15 qualified dependent again once those benefits have been revoked  
16 for that qualified dependent.

17 A veteran may transfer benefits under this subsection to  
18 multiple qualified dependents; however, the total number of  
19 credit hours of assistance transferred may not exceed 120  
20 credit hours, and a veteran may transfer benefits to only one  
21 qualified dependent at a time.

22 (Source: P.A. 94-583, eff. 8-15-05.)

23 Section 99. Effective date. This Act takes effect July 1,  
24 2019."