



Sen. Michael E. Hastings

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10100SB1255sam001

LRB101 10835 AXK 56961 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 step-child of an eligible veteran or serviceperson who
10 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 (Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15;
3 100-201, eff. 8-18-17.)

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

6 (110 ILCS 947/40)

7 Sec. 40. Illinois Veteran grant program.

8 (a) As used in this Section:

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

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

18 (A) An Illinois resident.

19 (B) An Illinois resident within 6 months of
20 entering such service.

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

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

24 (A) He or she served at least one year of federal

1 active duty.

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

5 (C) He or she served less than one year of federal
6 active duty and was discharged prior to August 11,
7 1967.

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

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

13 (4) (Blank). ~~The person returned to this State within 6~~
14 ~~months after leaving federal active duty service, or, if~~
15 ~~married to a person in continued military service stationed~~
16 ~~outside this State, returned to this State within 6 months~~
17 ~~after his or her spouse left service or was stationed~~
18 ~~within this State.~~

19 (5) The person does not meet the requirements of
20 paragraph (1), but (i) is a resident of Illinois at the
21 time of application to the Commission and (ii) at some
22 point after leaving federal active duty service, was a
23 resident of Illinois for at least 15 consecutive years.

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

1 (1) Has earned a high school diploma or high school
2 equivalency certificate and is at least 18 years of age but
3 less than 26 years of age, unless granted an extension by
4 the Commission due to a qualifying illness or debilitating
5 condition.

6 (2) Meets the cumulative grade point average
7 requirements of the postsecondary institution.

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

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

16 (b) A person who otherwise qualifies under the definition
17 of "qualified applicant" under subsection (a) of this Section
18 but has not left federal active duty service and has served at
19 least one year of federal active duty or has served for less
20 than one year of federal active duty in a foreign country
21 during a time of hostilities in that foreign country and who
22 can provide documentation demonstrating an honorable service
23 record is eligible to receive assistance under this Section.

24 (c) A grant recipient ~~qualified applicant~~ is not required
25 to pay any tuition or mandatory fees while attending a
26 State-controlled university or public community college in

1 this State for a period that is equivalent to 4 years of
2 full-time enrollment, including summer terms.

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

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

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

22 (f) The Commission shall administer the grant program
23 established by this Section and shall make all necessary and
24 proper rules not inconsistent with this Section for its
25 effective implementation.

26 (g) All applications for assistance under this Section must

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

10 (h) Assistance under this Section is available as long as
11 the federal government provides educational benefits to
12 veterans. Assistance must not be paid under this Section after
13 6 months following the termination of educational benefits to
14 veterans by the federal government, except for persons who
15 already have begun their education with assistance under this
16 Section. If the federal government terminates educational
17 benefits to veterans and at a later time resumes those
18 benefits, assistance under this Section shall resume.

19 (i) Beginning with the 2019-2020 academic year, a grant
20 awarded under this Section may be transferred to a qualified
21 dependent if the qualified dependent's spouse or parent meets
22 all of the following qualifications:

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

25 (2) He or she has served at least 6 years of federal
26 active duty service and at least 2 years of Reserve or

1 Individual Ready Reserve service.

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

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

18 A qualified dependent of a person who was killed in the
19 line of duty, was a prisoner of war, was missing in action, had
20 a service-connected disability rating, as determined by the
21 U.S. Department of Veterans Affairs, of 90% to 100%, was
22 unemployable based on a total disability, as determined by the
23 U.S. Department of Veterans Affairs, or died as a result of
24 injury or illness directly related to his or her military
25 service is eligible for a grant transfer of no less than 120
26 credit hours under this subsection if the spouse or parent

1 would have otherwise met the qualifications under this
2 subsection. A dependent who is a natural born or legally
3 adopted child of a veteran may still qualify for a grant under
4 this subsection if he or she marries or if his or her parents
5 divorce.

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

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

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

19 Section 99. Effective date. This Act takes effect July 1,
20 2019.".