



Sen. Michael E. Hastings

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LRB101 10835 AXK 58680 a

1 AMENDMENT TO SENATE BILL 1255

2 AMENDMENT NO. _____. Amend Senate Bill 1255, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by changing Section
6 30-14.2 as follows:

7 (105 ILCS 5/30-14.2) (from Ch. 122, par. 30-14.2)

8 Sec. 30-14.2. MIA/POW scholarships.

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

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

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

24 Scholarships awarded under this Section may be used by a
25 spouse or child without regard to his or her age. The holder of
26 a Scholarship awarded under this Section shall be subject to

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

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

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

25 (b) In lieu of the benefit provided in subsection (a), any
26 spouse, natural child, legally adopted child, or step-child of

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

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

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

1 shall determine the eligibility of the persons who make
2 application for the benefits provided for in this Section.

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

8 (Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15;
9 100-201, eff. 8-18-17.)

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

12 (110 ILCS 947/40)

13 Sec. 40. Illinois Veteran grant program.

14 (a) As used in this Section:

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

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

24 (A) An Illinois resident.

1 (B) An Illinois resident within 6 months of
2 entering such service.

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

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

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

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

11 (C) He or she served less than one year of federal
12 active duty and was discharged prior to August 11,
13 1967.

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

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

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

25 (5) The person does not meet the requirements of
26 paragraph (1), but (i) is a resident of Illinois at the

1 time of application to the Commission and (ii) at some
2 point after leaving federal active duty service, was a
3 resident of Illinois for at least 15 consecutive years.

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

7 (1) Has earned a high school diploma or high school
8 equivalency certificate or is at least 18 years of age and,
9 for a natural born or legally adopted child of a veteran,
10 less than 26 years of age, unless granted an extension by
11 the Commission due to a qualifying illness or debilitating
12 condition.

13 (2) Meets the cumulative grade point average
14 requirements of the postsecondary institution.

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

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

23 (b) A person who otherwise qualifies under the definition
24 of "qualified applicant" under subsection (a) of this Section
25 but has not left federal active duty service and has served at
26 least one year of federal active duty or has served for less

1 than one year of federal active duty in a foreign country
2 during a time of hostilities in that foreign country and who
3 can provide documentation demonstrating an honorable service
4 record is eligible to receive assistance under this Section.

5 (c) A grant recipient ~~qualified applicant~~ is not required
6 to pay any tuition or mandatory fees while attending a
7 State-controlled university or public community college in
8 this State for a period that is based on the length of the
9 qualified applicant's federal active duty service, as verified
10 on his or her U.S. Department of Defense form DD-214,
11 calculated as follows:

12 (1) 72 credit hours (or 60% of the maximum payable
13 benefit) for 12 or more months but less than 18 months of
14 active duty service;

15 (2) 84 credit hours (or 70% of the maximum payable
16 benefit) for 18 or more months but less than 24 months of
17 active duty service;

18 (3) 96 credit hours (or 80% of the maximum payable
19 benefit) for 24 or more months but less than 30 months of
20 service;

21 (4) 108 credit hours (or 90% of the maximum payable
22 benefit) for 30 or more months but less than 36 months of
23 service; or

24 (5) 120 credit hours (or 100% of the maximum payable
25 benefit) for 36 or more months of service. ~~equivalent to 4~~
26 ~~years of full time enrollment, including summer terms.~~

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

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

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

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

24 (g) All applications for assistance under this Section must
25 be made to the Commission on forms that the Commission shall
26 provide. The Commission shall determine the form of application

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

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

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

21 (1) He or she is a qualified applicant under subsection

22 (a) or (b).

23 (2) He or she has served at least 6 years of federal
24 active duty service and at least 2 years of Reserve or
25 Individual Ready Reserve service.

26 (3) He or she has no federal veterans' educational

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

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

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

1 adopted child of a veteran may still qualify for a grant under
2 this subsection if he or she marries or if his or her parents
3 divorce.

4 Benefits under this Section may not be used simultaneously
5 by both the veteran and his or her qualified dependent. A
6 veteran may revoke or otherwise change the transfer of his or
7 her benefits to a qualified dependent under this subsection at
8 any time but may not transfer his or her benefits to the same
9 qualified dependent again once those benefits have been revoked
10 for that qualified dependent. Benefits under this Section may
11 not be transferred to a qualified dependent if he or she is
12 receiving grant assistance under Section 30-14.2 of the School
13 Code.

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

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

20 Section 99. Effective date. This Act takes effect July 1,
21 2019."