



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3509

Introduced 2/14/2020, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

110 ILCS 305/7e-5
110 ILCS 520/8d-5
110 ILCS 660/5-88
110 ILCS 665/10-88
110 ILCS 670/15-88
110 ILCS 675/20-88
110 ILCS 680/25-88
110 ILCS 685/30-88
110 ILCS 690/35-88
110 ILCS 805/6-4a

Amends various Acts relating to the governance of public universities and community colleges in Illinois. Requires the governing board of each public university and community college district to deem a dependent student whose parent or guardian holds an H-1B visa or Permanent Resident Card an Illinois resident for tuition purposes if the student satisfies other conditions that determine Illinois residency for tuition purposes. Effective July 1, 2020.

LRB101 20220 CMG 69760 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The University of Illinois Act is amended by
5 changing Section 7e-5 as follows:

6 (110 ILCS 305/7e-5)

7 Sec. 7e-5. In-state tuition charge.

8 (a) Notwithstanding any other provision of law to the
9 contrary, for tuition purposes, the Board of Trustees shall
10 deem an individual an Illinois resident, until the individual
11 establishes a residence outside of this State, if all of the
12 following conditions are met:

13 (1) The individual resided with his or her parent or
14 guardian while attending a public or private high school in
15 this State.

16 (2) The individual graduated from a public or private
17 high school or received the equivalent of a high school
18 diploma in this State.

19 (3) The individual attended school in this State for at
20 least 3 years as of the date the individual graduated from
21 high school or received the equivalent of a high school
22 diploma.

23 (4) The individual registers as an entering student in

1 the University not earlier than the 2003 fall semester.

2 (5) In the case of an individual who is not a citizen
3 or a permanent resident of the United States, the
4 individual provides the University with an affidavit
5 stating that the individual will file an application to
6 become a permanent resident of the United States at the
7 earliest opportunity the individual is eligible to do so.

8 This subsection (a) applies only to tuition for a term or
9 semester that begins on or after May 20, 2003 (the effective
10 date of Public Act 93-7). Any revenue lost by the University in
11 implementing this subsection (a) shall be absorbed by the
12 University Income Fund.

13 (b) If a person is on active military duty and stationed in
14 Illinois, then the Board of Trustees shall deem that person and
15 any of his or her dependents Illinois residents for tuition
16 purposes. Beginning with the 2009-2010 academic year, if a
17 person is on active military duty and is stationed out of
18 State, but he or she was stationed in this State for at least 3
19 years immediately prior to being reassigned out of State, then
20 the Board of Trustees shall deem that person and any of his or
21 her dependents Illinois residents for tuition purposes, as long
22 as that person or his or her dependent (i) applies for
23 admission to the University within 18 months of the person on
24 active military duty being reassigned or (ii) remains
25 continuously enrolled at the University. Beginning with the
26 2013-2014 academic year, if a person is utilizing benefits

1 under the federal Post-9/11 Veterans Educational Assistance
2 Act of 2008 or any subsequent variation of that Act, then the
3 Board of Trustees shall deem that person an Illinois resident
4 for tuition purposes. Beginning with the 2015-2016 academic
5 year, if a person is utilizing benefits under the federal
6 All-Volunteer Force Educational Assistance Program, then the
7 Board of Trustees shall deem that person an Illinois resident
8 for tuition purposes. Beginning with the 2019-2020 academic
9 year, per the federal requirements for maintaining approval for
10 veterans' education benefits under 38 U.S.C. 3679(c), if a
11 person is on active military duty or is receiving veterans'
12 education benefits, then the Board of Trustees shall deem that
13 person an Illinois resident for tuition purposes for any
14 academic quarter, semester, or term, as applicable.

15 (c) If a dependent student's parent or guardian holds an
16 H-1B visa or Permanent Resident Card and if the student meets
17 all of the conditions set forth in subsection (a), then the
18 Board of Trustees shall deem that student an Illinois resident
19 for tuition purposes.

20 (Source: P.A. 101-424, eff. 8-16-19.)

21 Section 10. The Southern Illinois University Management
22 Act is amended by changing Section 8d-5 as follows:

23 (110 ILCS 520/8d-5)

24 Sec. 8d-5. In-state tuition charge.

1 (a) Notwithstanding any other provision of law to the
2 contrary, for tuition purposes, the Board shall deem an
3 individual an Illinois resident, until the individual
4 establishes a residence outside of this State, if all of the
5 following conditions are met:

6 (1) The individual resided with his or her parent or
7 guardian while attending a public or private high school in
8 this State.

9 (2) The individual graduated from a public or private
10 high school or received the equivalent of a high school
11 diploma in this State.

12 (3) The individual attended school in this State for at
13 least 3 years as of the date the individual graduated from
14 high school or received the equivalent of a high school
15 diploma.

16 (4) The individual registers as an entering student in
17 the University not earlier than the 2003 fall semester.

18 (5) In the case of an individual who is not a citizen
19 or a permanent resident of the United States, the
20 individual provides the University with an affidavit
21 stating that the individual will file an application to
22 become a permanent resident of the United States at the
23 earliest opportunity the individual is eligible to do so.

24 This subsection (a) applies only to tuition for a term or
25 semester that begins on or after May 20, 2003 (the effective
26 date of Public Act 93-7). Any revenue lost by the University in

1 implementing this subsection (a) shall be absorbed by the
2 University Income Fund.

3 (b) If a person is on active military duty and stationed in
4 Illinois, then the Board shall deem that person and any of his
5 or her dependents Illinois residents for tuition purposes.
6 Beginning with the 2009-2010 academic year, if a person is on
7 active military duty and is stationed out of State, but he or
8 she was stationed in this State for at least 3 years
9 immediately prior to being reassigned out of State, then the
10 Board shall deem that person and any of his or her dependents
11 Illinois residents for tuition purposes, as long as that person
12 or his or her dependent (i) applies for admission to the
13 University within 18 months of the person on active military
14 duty being reassigned or (ii) remains continuously enrolled at
15 the University. Beginning with the 2013-2014 academic year, if
16 a person is utilizing benefits under the federal Post-9/11
17 Veterans Educational Assistance Act of 2008 or any subsequent
18 variation of that Act, then the Board shall deem that person an
19 Illinois resident for tuition purposes. Beginning with the
20 2015-2016 academic year, if a person is utilizing benefits
21 under the federal All-Volunteer Force Educational Assistance
22 Program, then the Board shall deem that person an Illinois
23 resident for tuition purposes. Beginning with the 2019-2020
24 academic year, per the federal requirements for maintaining
25 approval for veterans' education benefits under 38 U.S.C.
26 3679(c), if a person is on active military duty or is receiving

1 veterans' education benefits, then the Board of Trustees shall
2 deem that person an Illinois resident for tuition purposes for
3 any academic quarter, semester, or term, as applicable.

4 (c) If a dependent student's parent or guardian holds an
5 H-1B visa or Permanent Resident Card and if the student meets
6 all of the conditions set forth in subsection (a), then the
7 Board shall deem that student an Illinois resident for tuition
8 purposes.

9 (Source: P.A. 101-424, eff. 8-16-19.)

10 Section 15. The Chicago State University Law is amended by
11 changing Section 5-88 as follows:

12 (110 ILCS 660/5-88)

13 Sec. 5-88. In-state tuition charge.

14 (a) Notwithstanding any other provision of law to the
15 contrary, for tuition purposes, the Board shall deem an
16 individual an Illinois resident, until the individual
17 establishes a residence outside of this State, if all of the
18 following conditions are met:

19 (1) The individual resided with his or her parent or
20 guardian while attending a public or private high school in
21 this State.

22 (2) The individual graduated from a public or private
23 high school or received the equivalent of a high school
24 diploma in this State.

1 (3) The individual attended school in this State for at
2 least 3 years as of the date the individual graduated from
3 high school or received the equivalent of a high school
4 diploma.

5 (4) The individual registers as an entering student in
6 the University not earlier than the 2003 fall semester.

7 (5) In the case of an individual who is not a citizen
8 or a permanent resident of the United States, the
9 individual provides the University with an affidavit
10 stating that the individual will file an application to
11 become a permanent resident of the United States at the
12 earliest opportunity the individual is eligible to do so.

13 This subsection (a) applies only to tuition for a term or
14 semester that begins on or after May 20, 2003 (the effective
15 date of Public Act 93-7). Any revenue lost by the University in
16 implementing this subsection (a) shall be absorbed by the
17 University Income Fund.

18 (b) If a person is on active military duty and stationed in
19 Illinois, then the Board shall deem that person and any of his
20 or her dependents Illinois residents for tuition purposes.
21 Beginning with the 2009-2010 academic year, if a person is on
22 active military duty and is stationed out of State, but he or
23 she was stationed in this State for at least 3 years
24 immediately prior to being reassigned out of State, then the
25 Board shall deem that person and any of his or her dependents
26 Illinois residents for tuition purposes, as long as that person

1 or his or her dependent (i) applies for admission to the
2 University within 18 months of the person on active military
3 duty being reassigned or (ii) remains continuously enrolled at
4 the University. Beginning with the 2013-2014 academic year, if
5 a person is utilizing benefits under the federal Post-9/11
6 Veterans Educational Assistance Act of 2008 or any subsequent
7 variation of that Act, then the Board shall deem that person an
8 Illinois resident for tuition purposes. Beginning with the
9 2015-2016 academic year, if a person is utilizing benefits
10 under the federal All-Volunteer Force Educational Assistance
11 Program, then the Board shall deem that person an Illinois
12 resident for tuition purposes. Beginning with the 2019-2020
13 academic year, per the federal requirements for maintaining
14 approval for veterans' education benefits under 38 U.S.C.
15 3679(c), if a person is on active military duty or is receiving
16 veterans' education benefits, then the Board of Trustees shall
17 deem that person an Illinois resident for tuition purposes for
18 any academic quarter, semester, or term, as applicable.

19 (c) If a dependent student's parent or guardian holds an
20 H-1B visa or Permanent Resident Card and if the student meets
21 all of the conditions set forth in subsection (a), then the
22 Board shall deem that student an Illinois resident for tuition
23 purposes.

24 (Source: P.A. 101-424, eff. 8-16-19.)

25 Section 20. The Eastern Illinois University Law is amended

1 by changing Section 10-88 as follows:

2 (110 ILCS 665/10-88)

3 Sec. 10-88. In-state tuition charge.

4 (a) Notwithstanding any other provision of law to the
5 contrary, for tuition purposes, the Board shall deem an
6 individual an Illinois resident, until the individual
7 establishes a residence outside of this State, if all of the
8 following conditions are met:

9 (1) The individual resided with his or her parent or
10 guardian while attending a public or private high school in
11 this State.

12 (2) The individual graduated from a public or private
13 high school or received the equivalent of a high school
14 diploma in this State.

15 (3) The individual attended school in this State for at
16 least 3 years as of the date the individual graduated from
17 high school or received the equivalent of a high school
18 diploma.

19 (4) The individual registers as an entering student in
20 the University not earlier than the 2003 fall semester.

21 (5) In the case of an individual who is not a citizen
22 or a permanent resident of the United States, the
23 individual provides the University with an affidavit
24 stating that the individual will file an application to
25 become a permanent resident of the United States at the

1 earliest opportunity the individual is eligible to do so.

2 This subsection (a) applies only to tuition for a term or
3 semester that begins on or after May 20, 2003 (the effective
4 date of Public Act 93-7). Any revenue lost by the University in
5 implementing this subsection (a) shall be absorbed by the
6 University Income Fund.

7 (b) If a person is on active military duty and stationed in
8 Illinois, then the Board shall deem that person and any of his
9 or her dependents Illinois residents for tuition purposes.
10 Beginning with the 2009-2010 academic year, if a person is on
11 active military duty and is stationed out of State, but he or
12 she was stationed in this State for at least 3 years
13 immediately prior to being reassigned out of State, then the
14 Board shall deem that person and any of his or her dependents
15 Illinois residents for tuition purposes, as long as that person
16 or his or her dependent (i) applies for admission to the
17 University within 18 months of the person on active military
18 duty being reassigned or (ii) remains continuously enrolled at
19 the University. Beginning with the 2013-2014 academic year, if
20 a person is utilizing benefits under the federal Post-9/11
21 Veterans Educational Assistance Act of 2008 or any subsequent
22 variation of that Act, then the Board shall deem that person an
23 Illinois resident for tuition purposes. Beginning with the
24 2015-2016 academic year, if a person is utilizing benefits
25 under the federal All-Volunteer Force Educational Assistance
26 Program, then the Board shall deem that person an Illinois

1 resident for tuition purposes. Beginning with the 2019-2020
2 academic year, per the federal requirements for maintaining
3 approval for veterans' education benefits under 38 U.S.C.
4 3679(c), if a person is on active military duty or is receiving
5 veterans' education benefits, then the Board of Trustees shall
6 deem that person an Illinois resident for tuition purposes for
7 any academic quarter, semester, or term, as applicable.

8 (c) If a dependent student's parent or guardian holds an
9 H-1B visa or Permanent Resident Card and if the student meets
10 all of the conditions set forth in subsection (a), then the
11 Board shall deem that student an Illinois resident for tuition
12 purposes.

13 (Source: P.A. 101-424, eff. 8-16-19.)

14 Section 25. The Governors State University Law is amended
15 by changing Section 15-88 as follows:

16 (110 ILCS 670/15-88)

17 Sec. 15-88. In-state tuition charge.

18 (a) Notwithstanding any other provision of law to the
19 contrary, for tuition purposes, the Board shall deem an
20 individual an Illinois resident, until the individual
21 establishes a residence outside of this State, if all of the
22 following conditions are met:

23 (1) The individual resided with his or her parent or
24 guardian while attending a public or private high school in

1 this State.

2 (2) The individual graduated from a public or private
3 high school or received the equivalent of a high school
4 diploma in this State.

5 (3) The individual attended school in this State for at
6 least 3 years as of the date the individual graduated from
7 high school or received the equivalent of a high school
8 diploma.

9 (4) The individual registers as an entering student in
10 the University not earlier than the 2003 fall semester.

11 (5) In the case of an individual who is not a citizen
12 or a permanent resident of the United States, the
13 individual provides the University with an affidavit
14 stating that the individual will file an application to
15 become a permanent resident of the United States at the
16 earliest opportunity the individual is eligible to do so.

17 This subsection (a) applies only to tuition for a term or
18 semester that begins on or after May 20, 2003 (the effective
19 date of Public Act 93-7). Any revenue lost by the University in
20 implementing this subsection (a) shall be absorbed by the
21 University Income Fund.

22 (b) If a person is on active military duty and stationed in
23 Illinois, then the Board shall deem that person and any of his
24 or her dependents Illinois residents for tuition purposes.
25 Beginning with the 2009-2010 academic year, if a person is on
26 active military duty and is stationed out of State, but he or

1 she was stationed in this State for at least 3 years
2 immediately prior to being reassigned out of State, then the
3 Board shall deem that person and any of his or her dependents
4 Illinois residents for tuition purposes, as long as that person
5 or his or her dependent (i) applies for admission to the
6 University within 18 months of the person on active military
7 duty being reassigned or (ii) remains continuously enrolled at
8 the University. Beginning with the 2013-2014 academic year, if
9 a person is utilizing benefits under the federal Post-9/11
10 Veterans Educational Assistance Act of 2008 or any subsequent
11 variation of that Act, then the Board shall deem that person an
12 Illinois resident for tuition purposes. Beginning with the
13 2015-2016 academic year, if a person is utilizing benefits
14 under the federal All-Volunteer Force Educational Assistance
15 Program, then the Board shall deem that person an Illinois
16 resident for tuition purposes. Beginning with the 2019-2020
17 academic year, per the federal requirements for maintaining
18 approval for veterans' education benefits under 38 U.S.C.
19 3679(c), if a person is on active military duty or is receiving
20 veterans' education benefits, then the Board of Trustees shall
21 deem that person an Illinois resident for tuition purposes for
22 any academic quarter, semester, or term, as applicable.

23 (c) If a dependent student's parent or guardian holds an
24 H-1B visa or Permanent Resident Card and if the student meets
25 all of the conditions set forth in subsection (a), then the
26 Board shall deem that student an Illinois resident for tuition

1 purposes.

2 (Source: P.A. 101-424, eff. 8-16-19.)

3 Section 30. The Illinois State University Law is amended by
4 changing Section 20-88 as follows:

5 (110 ILCS 675/20-88)

6 Sec. 20-88. In-state tuition charge.

7 (a) Notwithstanding any other provision of law to the
8 contrary, for tuition purposes, the Board shall deem an
9 individual an Illinois resident, until the individual
10 establishes a residence outside of this State, if all of the
11 following conditions are met:

12 (1) The individual resided with his or her parent or
13 guardian while attending a public or private high school in
14 this State.

15 (2) The individual graduated from a public or private
16 high school or received the equivalent of a high school
17 diploma in this State.

18 (3) The individual attended school in this State for at
19 least 3 years as of the date the individual graduated from
20 high school or received the equivalent of a high school
21 diploma.

22 (4) The individual registers as an entering student in
23 the University not earlier than the 2003 fall semester.

24 (5) In the case of an individual who is not a citizen

1 or a permanent resident of the United States, the
2 individual provides the University with an affidavit
3 stating that the individual will file an application to
4 become a permanent resident of the United States at the
5 earliest opportunity the individual is eligible to do so.

6 This subsection (a) applies only to tuition for a term or
7 semester that begins on or after May 20, 2003 (the effective
8 date of Public Act 93-7). Any revenue lost by the University in
9 implementing this subsection (a) shall be absorbed by the
10 University Income Fund.

11 (b) If a person is on active military duty and stationed in
12 Illinois, then the Board shall deem that person and any of his
13 or her dependents Illinois residents for tuition purposes.
14 Beginning with the 2009-2010 academic year, if a person is on
15 active military duty and is stationed out of State, but he or
16 she was stationed in this State for at least 3 years
17 immediately prior to being reassigned out of State, then the
18 Board shall deem that person and any of his or her dependents
19 Illinois residents for tuition purposes, as long as that person
20 or his or her dependent (i) applies for admission to the
21 University within 18 months of the person on active military
22 duty being reassigned or (ii) remains continuously enrolled at
23 the University. Beginning with the 2013-2014 academic year, if
24 a person is utilizing benefits under the federal Post-9/11
25 Veterans Educational Assistance Act of 2008 or any subsequent
26 variation of that Act, then the Board shall deem that person an

1 Illinois resident for tuition purposes. Beginning with the
2 2015-2016 academic year, if a person is utilizing benefits
3 under the federal All-Volunteer Force Educational Assistance
4 Program, then the Board shall deem that person an Illinois
5 resident for tuition purposes. Beginning with the 2015-2016
6 academic year, if a person is utilizing benefits under the
7 federal All-Volunteer Force Educational Assistance Program,
8 then the Board of Trustees shall deem that person an Illinois
9 resident for tuition purposes. Beginning with the 2019-2020
10 academic year, per the federal requirements for maintaining
11 approval for veterans' education benefits under 38 U.S.C.
12 3679(c), if a person is on active military duty or is receiving
13 veterans' education benefits, then the Board of Trustees shall
14 deem that person an Illinois resident for tuition purposes for
15 any academic quarter, semester, or term, as applicable.

16 (c) If a dependent student's parent or guardian holds an
17 H-1B visa or Permanent Resident Card and if the student meets
18 all of the conditions set forth in subsection (a), then the
19 Board shall deem that student an Illinois resident for tuition
20 purposes.

21 (Source: P.A. 101-424, eff. 8-16-19.)

22 Section 35. The Northeastern Illinois University Law is
23 amended by changing Section 25-88 as follows:

24 (110 ILCS 680/25-88)

1 Sec. 25-88. In-state tuition charge.

2 (a) Notwithstanding any other provision of law to the
3 contrary, for tuition purposes, the Board shall deem an
4 individual an Illinois resident, until the individual
5 establishes a residence outside of this State, if all of the
6 following conditions are met:

7 (1) The individual resided with his or her parent or
8 guardian while attending a public or private high school in
9 this State.

10 (2) The individual graduated from a public or private
11 high school or received the equivalent of a high school
12 diploma in this State.

13 (3) The individual attended school in this State for at
14 least 3 years as of the date the individual graduated from
15 high school or received the equivalent of a high school
16 diploma.

17 (4) The individual registers as an entering student in
18 the University not earlier than the 2003 fall semester.

19 (5) In the case of an individual who is not a citizen
20 or a permanent resident of the United States, the
21 individual provides the University with an affidavit
22 stating that the individual will file an application to
23 become a permanent resident of the United States at the
24 earliest opportunity the individual is eligible to do so.

25 This subsection (a) applies only to tuition for a term or
26 semester that begins on or after May 20, 2003 (the effective

1 date of Public Act 93-7). Any revenue lost by the University in
2 implementing this subsection (a) shall be absorbed by the
3 University Income Fund.

4 (b) If a person is on active military duty and stationed in
5 Illinois, then the Board shall deem that person and any of his
6 or her dependents Illinois residents for tuition purposes.
7 Beginning with the 2009-2010 academic year, if a person is on
8 active military duty and is stationed out of State, but he or
9 she was stationed in this State for at least 3 years
10 immediately prior to being reassigned out of State, then the
11 Board shall deem that person and any of his or her dependents
12 Illinois residents for tuition purposes, as long as that person
13 or his or her dependent (i) applies for admission to the
14 University within 18 months of the person on active military
15 duty being reassigned or (ii) remains continuously enrolled at
16 the University. Beginning with the 2013-2014 academic year, if
17 a person is utilizing benefits under the federal Post-9/11
18 Veterans Educational Assistance Act of 2008 or any subsequent
19 variation of that Act, then the Board shall deem that person an
20 Illinois resident for tuition purposes. Beginning with the
21 2015-2016 academic year, if a person is utilizing benefits
22 under the federal All-Volunteer Force Educational Assistance
23 Program, then the Board shall deem that person an Illinois
24 resident for tuition purposes. Beginning with the 2019-2020
25 academic year, per the federal requirements for maintaining
26 approval for veterans' education benefits under 38 U.S.C.

1 3679(c), if a person is on active military duty or is receiving
2 veterans' education benefits, then the Board of Trustees shall
3 deem that person an Illinois resident for tuition purposes for
4 any academic quarter, semester, or term, as applicable.

5 (c) If a dependent student's parent or guardian holds an
6 H-1B visa or Permanent Resident Card and if the student meets
7 all of the conditions set forth in subsection (a), then the
8 Board shall deem that student an Illinois resident for tuition
9 purposes.

10 (Source: P.A. 101-424, eff. 8-16-19.)

11 Section 40. The Northern Illinois University Law is amended
12 by changing Section 30-88 as follows:

13 (110 ILCS 685/30-88)

14 Sec. 30-88. In-state tuition charge.

15 (a) Notwithstanding any other provision of law to the
16 contrary, for tuition purposes, the Board shall deem an
17 individual an Illinois resident, until the individual
18 establishes a residence outside of this State, if all of the
19 following conditions are met:

20 (1) The individual resided with his or her parent or
21 guardian while attending a public or private high school in
22 this State.

23 (2) The individual graduated from a public or private
24 high school or received the equivalent of a high school

1 diploma in this State.

2 (3) The individual attended school in this State for at
3 least 3 years as of the date the individual graduated from
4 high school or received the equivalent of a high school
5 diploma.

6 (4) The individual registers as an entering student in
7 the University not earlier than the 2003 fall semester.

8 (5) In the case of an individual who is not a citizen
9 or a permanent resident of the United States, the
10 individual provides the University with an affidavit
11 stating that the individual will file an application to
12 become a permanent resident of the United States at the
13 earliest opportunity the individual is eligible to do so.

14 This subsection (a) applies only to tuition for a term or
15 semester that begins on or after May 20, 2003 (the effective
16 date of Public Act 93-7). Any revenue lost by the University in
17 implementing this subsection (a) shall be absorbed by the
18 University Income Fund.

19 (b) If a person is on active military duty and stationed in
20 Illinois, then the Board shall deem that person and any of his
21 or her dependents Illinois residents for tuition purposes.
22 Beginning with the 2009-2010 academic year, if a person is on
23 active military duty and is stationed out of State, but he or
24 she was stationed in this State for at least 3 years
25 immediately prior to being reassigned out of State, then the
26 Board shall deem that person and any of his or her dependents

1 Illinois residents for tuition purposes, as long as that person
2 or his or her dependent (i) applies for admission to the
3 University within 18 months of the person on active military
4 duty being reassigned or (ii) remains continuously enrolled at
5 the University. Beginning with the 2013-2014 academic year, if
6 a person is utilizing benefits under the federal Post-9/11
7 Veterans Educational Assistance Act of 2008 or any subsequent
8 variation of that Act, then the Board shall deem that person an
9 Illinois resident for tuition purposes. Beginning with the
10 2015-2016 academic year, if a person is utilizing benefits
11 under the federal All-Volunteer Force Educational Assistance
12 Program, then the Board shall deem that person an Illinois
13 resident for tuition purposes. Beginning with the 2019-2020
14 academic year, per the federal requirements for maintaining
15 approval for veterans' education benefits under 38 U.S.C.
16 3679(c), if a person is on active military duty or is receiving
17 veterans' education benefits, then the Board of Trustees shall
18 deem that person an Illinois resident for tuition purposes for
19 any academic quarter, semester, or term, as applicable.

20 (c) If a dependent student's parent or guardian holds an
21 H-1B visa or Permanent Resident Card and if the student meets
22 all of the conditions set forth in subsection (a), then the
23 Board shall deem that student an Illinois resident for tuition
24 purposes.

25 (Source: P.A. 101-424, eff. 8-16-19.)

1 Section 45. The Western Illinois University Law is amended
2 by changing Section 35-88 as follows:

3 (110 ILCS 690/35-88)

4 Sec. 35-88. In-state tuition charge.

5 (a) Notwithstanding any other provision of law to the
6 contrary, for tuition purposes, the Board shall deem an
7 individual an Illinois resident, until the individual
8 establishes a residence outside of this State, if all of the
9 following conditions are met:

10 (1) The individual resided with his or her parent or
11 guardian while attending a public or private high school in
12 this State.

13 (2) The individual graduated from a public or private
14 high school or received the equivalent of a high school
15 diploma in this State.

16 (3) The individual attended school in this State for at
17 least 3 years as of the date the individual graduated from
18 high school or received the equivalent of a high school
19 diploma.

20 (4) The individual registers as an entering student in
21 the University not earlier than the 2003 fall semester.

22 (5) In the case of an individual who is not a citizen
23 or a permanent resident of the United States, the
24 individual provides the University with an affidavit
25 stating that the individual will file an application to

1 become a permanent resident of the United States at the
2 earliest opportunity the individual is eligible to do so.

3 This subsection (a) applies only to tuition for a term or
4 semester that begins on or after May 20, 2003 (the effective
5 date of Public Act 93-7). Any revenue lost by the University in
6 implementing this subsection (a) shall be absorbed by the
7 University Income Fund.

8 (b) If a person is on active military duty and stationed in
9 Illinois, then the Board shall deem that person and any of his
10 or her dependents Illinois residents for tuition purposes.
11 Beginning with the 2009-2010 academic year, if a person is on
12 active military duty and is stationed out of State, but he or
13 she was stationed in this State for at least 3 years
14 immediately prior to being reassigned out of State, then the
15 Board shall deem that person and any of his or her dependents
16 Illinois residents for tuition purposes, as long as that person
17 or his or her dependent (i) applies for admission to the
18 University within 18 months of the person on active military
19 duty being reassigned or (ii) remains continuously enrolled at
20 the University. Beginning with the 2013-2014 academic year, if
21 a person is utilizing benefits under the federal Post-9/11
22 Veterans Educational Assistance Act of 2008 or any subsequent
23 variation of that Act, then the Board shall deem that person an
24 Illinois resident for tuition purposes. Beginning with the
25 2015-2016 academic year, if a person is utilizing benefits
26 under the federal All-Volunteer Force Educational Assistance

1 Program, then the Board shall deem that person an Illinois
2 resident for tuition purposes. Beginning with the 2019-2020
3 academic year, per the federal requirements for maintaining
4 approval for veterans' education benefits under 38 U.S.C.
5 3679(c), if a person is on active military duty or is receiving
6 veterans' education benefits, then the Board of Trustees shall
7 deem that person an Illinois resident for tuition purposes for
8 any academic quarter, semester, or term, as applicable.

9 (c) If a dependent student's parent or guardian holds an
10 H-1B visa or Permanent Resident Card and if the student meets
11 all of the conditions set forth in subsection (a), then the
12 Board shall deem that student an Illinois resident for tuition
13 purposes.

14 (Source: P.A. 101-424, eff. 8-16-19.)

15 Section 50. The Public Community College Act is amended by
16 changing Section 6-4a as follows:

17 (110 ILCS 805/6-4a)

18 Sec. 6-4a. In-state tuition charge.

19 (a) Notwithstanding any other provision of law to the
20 contrary, for tuition purposes, a board shall deem an
21 individual an Illinois resident, until the individual
22 establishes a residence outside of this State, if all of the
23 following conditions are met:

24 (1) The individual resided with his or her parent or

1 guardian while attending a public or private high school in
2 this State.

3 (2) The individual graduated from a public or private
4 high school or received the equivalent of a high school
5 diploma in this State.

6 (3) The individual attended school in this State for at
7 least 3 years as of the date the individual graduated from
8 high school or received the equivalent of a high school
9 diploma.

10 (4) The individual registers as an entering student in
11 the community college not earlier than the 2003 fall
12 semester.

13 (5) In the case of an individual who is not a citizen
14 or a permanent resident of the United States, the
15 individual provides the community college with an
16 affidavit stating that the individual will file an
17 application to become a permanent resident of the United
18 States at the earliest opportunity the individual is
19 eligible to do so.

20 (b) This Section applies only to tuition for a term or
21 semester that begins on or after the effective date of this
22 amendatory Act of the 93rd General Assembly.

23 (c) Beginning with the 2013-2014 academic year, if a person
24 is utilizing benefits under the federal Post-9/11 Veterans
25 Educational Assistance Act of 2008 or any subsequent variation
26 of that Act, then the board shall deem that person an Illinois

1 resident for tuition purposes.

2 (d) Beginning with the 2015-2016 academic year, if a person
3 is utilizing benefits under the federal All-Volunteer Force
4 Educational Assistance Program, then the board shall deem that
5 person an Illinois resident for tuition purposes.

6 (e) Beginning with the 2019-2020 academic year, per the
7 federal requirements for maintaining approval for veterans'
8 education benefits under 38 U.S.C. 3679(c), if a person is on
9 active military duty or is receiving veterans' education
10 benefits, then the board shall deem that person an Illinois
11 resident for tuition purposes for any academic quarter,
12 semester, or term, as applicable.

13 (f) If a dependent student's parent or guardian holds an
14 H-1B visa or Permanent Resident Card and if the student meets
15 all of the conditions set forth in subsection (a), then the
16 board shall deem that student an Illinois resident for tuition
17 purposes.

18 (Source: P.A. 101-424, eff. 8-16-19.)

19 Section 99. Effective date. This Act takes effect July 1,
20 2020.