

AN ACT concerning higher education.

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

Section 5. The Higher Education Student Assistance Act is amended by changing Section 45 as follows:

(110 ILCS 947/45)

Sec. 45. Illinois National Guard grant program.

(a) As used in this Section:

"State controlled university or community college" means those institutions under the administration of the Chicago State University Board of Trustees, the Eastern Illinois University Board of Trustees, the Governors State University Board of Trustees, the Illinois State University Board of Trustees, the Northeastern Illinois University Board of Trustees, the Northern Illinois University Board of Trustees, the Western Illinois University Board of Trustees, Southern Illinois University Board of Trustees, University of Illinois Board of Trustees, or the Illinois Community College Board.

"Tuition and fees" shall not include expenses for any sectarian or denominational instruction, the construction or maintenance of sectarian or denominational facilities, or any other sectarian or denominational purposes or activity.

"Fees" means matriculation, graduation, activity, term, or incidental fees. Exemption shall not be granted from any other fees, including book rental, service, laboratory, supply, and union building fees, hospital and medical insurance fees, and any fees established for the operation and maintenance of buildings, the income of which is pledged to the payment of interest and principal on bonds issued by the governing board of any university or community college.

(b) Any enlisted person or any company grade officer, including warrant officers, First and Second Lieutenants, and

Captains in the Army and Air National Guard, who has served at least one year in the Illinois National Guard and who possesses all necessary entrance requirements shall, upon application and proper proof, be awarded a grant to the State-controlled university or community college of his or her choice, consisting of exemption from tuition and fees for not more than the equivalent of 4 years of full-time enrollment in relation to his or her course of study at that State controlled university or community college while he or she is a member of the Illinois National Guard. Except as otherwise provided in this Section, if ~~if~~ the recipient of any grant awarded under this Section ceases to be a member of the Illinois National Guard while enrolled in a course of study under that grant, the grant shall be terminated as of the date membership in the Illinois National Guard ended, and the recipient shall be permitted to complete the school term in which he or she is then enrolled only upon payment of tuition and other fees allocable to the part of the term then remaining. If the recipient of a grant awarded under this Section ceases to be a member of the Illinois National Guard while enrolled in a course of study under that grant but (i) has served in the Illinois National Guard for at least 5 years and (ii) has served a cumulative total of at least 6 months of active duty, then that recipient shall continue to be eligible for a grant for one year after membership in the Illinois National Guard ended, provided that the recipient has not already received the exemption from tuition and fees for the equivalent of 4 years of full-time enrollment under this Section. If the recipient of the grant fails to complete his or her military service obligations or requirements for satisfactory participation, the Department of Military Affairs shall require the recipient to repay the amount of the grant received, prorated according to the fraction of the service obligation not completed, and, if applicable, reasonable collection fees. The Department of Military Affairs may adopt rules relating to its collection activities for repayment of the grant under this Section.

Unsatisfactory participation shall be defined by rules adopted by the Department of Military Affairs. Repayments shall be deposited in the National Guard Grant Fund. The National Guard Grant Fund is created as a special fund in the State treasury. All money in the National Guard Grant Fund shall be used, subject to appropriation, by the Department of Military Affairs for the purposes of this Section.

A grant awarded under this Section shall be considered an entitlement which the State-controlled university or community college in which the holder is enrolled shall honor without any condition other than the holder's maintenance of minimum grade levels and a satisfactory student loan repayment record pursuant to subsection (c) of Section 20 of this Act.

(c) Subject to a separate appropriation for such purposes, the Commission may reimburse the State-controlled university or community college for grants authorized by this Section.

(Source: P.A. 92-589, eff. 7-1-02.)

Section 99. Effective date. This Act takes effect upon becoming law.