



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4097

Introduced 10/15/2025, by Rep. Regan Deering, Norine K. Hammond, Tony M. McCombie, Ryan Spain, Wayne A. Rosenthal, et al.

SYNOPSIS AS INTRODUCED:

110 ILCS 167/11 new
110 ILCS 205/9.45 new
110 ILCS 947/71 new

Amends the Public Higher Education Act, the Board of Higher Education Act, and the Higher Education Student Assistance Act. Provides that a resident of the State who is not lawfully present in the United States is not eligible, on the basis of residence within the State, for any postsecondary educational benefit unless a citizen or national of the United States is eligible for such a benefit without regard to whether the citizen or national is such a resident. Provides that any benefit conferred to a nonresident of the State who is lawfully present in the United States may not be lesser in amount, duration, or scope than the benefit conferred to a State resident who is unlawfully present in the United States.

LRB104 14502 LNS 27642 b

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 Public Higher Education Act is amended by
5 adding Section 11 as follows:

6 (110 ILCS 167/11 new)

7 Sec. 11. Educational benefits; noncitizens.

8 Notwithstanding any other provision of law to the contrary, a
9 resident of the State who is not lawfully present in the United
10 States is not eligible, on the basis of residence within the
11 State, for any postsecondary educational benefit from a public
12 institution of higher education unless a citizen or national
13 of the United States is eligible for such a benefit without
14 regard to whether the citizen or national is such a resident.
15 Any benefit conferred to a nonresident of the State who is
16 lawfully present in the United States may not be lesser in
17 amount, duration, or scope than the benefit conferred to a
18 State resident who is unlawfully present in the United States.

19 Section 10. The Board of Higher Education Act is amended
20 by adding Section 9.45 as follows:

21 (110 ILCS 205/9.45 new)

1 Sec. 9.45. Educational benefits; noncitizens.
2 Notwithstanding any other provision of law to the contrary, a
3 resident of the State who is not lawfully present in the United
4 States is not eligible, on the basis of residence within the
5 State, for any postsecondary educational benefit from the
6 Board unless a citizen or national of the United States is
7 eligible for such a benefit without regard to whether the
8 citizen or national is such a resident. Any benefit conferred
9 to a nonresident of the State who is lawfully present in the
10 United States may not be lesser in amount, duration, or scope
11 than the benefit conferred to a State resident who is
12 unlawfully present in the United States.

13 Section 15. The Higher Education Student Assistance Act is
14 amended by adding Section 71 as follows:

15 (110 ILCS 947/71 new)

16 Sec. 71. Educational benefits; noncitizens.
17 Notwithstanding any other provision of law to the contrary, a
18 resident of the State who is not lawfully present in the United
19 States is not eligible, on the basis of residence within the
20 State, for any postsecondary educational benefit from the
21 Commission unless a citizen or national of the United States
22 is eligible for such a benefit without regard to whether the
23 citizen or national is such a resident. Any benefit conferred
24 to a nonresident of the State who is lawfully present in the

1 United States may not be lesser in amount, duration, or scope
2 than the benefit conferred to a State resident who is
3 unlawfully present in the United States.