



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB3680

Introduced 2/14/2020, by Sen. William E. Brady

#### SYNOPSIS AS INTRODUCED:

110 ILCS 305/0.05 new  
110 ILCS 520/1.5 new  
110 ILCS 660/5-3 new  
110 ILCS 665/10-3 new  
110 ILCS 670/15-3 new  
110 ILCS 675/20-3 new  
110 ILCS 680/25-3 new  
110 ILCS 685/30-3 new  
110 ILCS 690/35-3 new  
110 ILCS 947/65.110 new

Amends various Acts relating to the governance of public universities in Illinois. Requires each university to transition into a nonpublic institution of higher education beginning on July 1, 2020. Requires the governing board of each university to develop and implement a 6-year plan for this transition. Sets forth provisions concerning the plan and transition. Amends the Higher Education Student Assistance Act. Requires the Illinois Student Assistance Commission to award grants to students in financial need who are enrolled for at least 15 credit hours in an institution of higher learning. Effective immediately.

LRB101 16899 NHT 66298 b

FISCAL NOTE ACT  
MAY APPLY

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 adding Section 0.05 as follows:

6 (110 ILCS 305/0.05 new)

7 Sec. 0.05. Transition to nonpublic university.

8 (a) Beginning on July 1, 2020, the University of Illinois  
9 shall transition into a nonpublic institution of higher  
10 education. The Board of Trustees of the University of Illinois  
11 shall develop and implement a 6-year plan for this transition.  
12 This plan shall include all of the following:

13 (1) A date upon which the University shall be deemed to  
14 be a nonpublic institution of higher education.

15 (2) The appointment, by the Board of Trustees, of a  
16 governing board to oversee the nonpublic university.

17 (3) A determination of all books, records, funds, and  
18 other property of any kind or nature belonging or in any  
19 way appertaining to the University that this State shall be  
20 required to transfer to the University.

21 (4) How employees, along with their health care,  
22 retirement, and all other benefits, as well as any  
23 collective bargaining agreements, are to be addressed.

1           (5) Recommendations concerning the changes to  
2           statutory law needed to effectuate and reflect this  
3           transition.

4           A copy of this plan shall be filed with the General  
5           Assembly as provided in Section 3.1 of the General Assembly  
6           Organization Act.

7           (b) On the date selected by the Board of Trustees under  
8           subdivision (1) of subsection (a) of this Section, all of the  
9           following shall apply:

10           (1) The Board of Trustees is abolished and the terms of  
11           all members end, and all of the powers, duties, assets,  
12           liabilities, employees, contracts, property, records,  
13           pending business, and unexpended appropriations of the  
14           Board of Trustees shall be transferred to the governing  
15           board appointed under subdivision (2) of subsection (a) of  
16           this Section.

17           (2) All rules, standards, policies, and procedures of  
18           the University shall continue in effect until they are  
19           modified or abolished by the governing board appointed  
20           under subdivision (2) of subsection (a) of this Section.

21           (3) The authority of the Board of Higher Education over  
22           public institutions of higher education does not include  
23           authority over the University.

24           (4) All references in statutes and rules to the  
25           University as a State university, a public university, or  
26           an institution of higher education funded or supported by

1 this State shall be deemed to not refer to the University,  
2 and all references to private or nonpublic institutions of  
3 higher education in statutes and rules shall be deemed to  
4 refer to the University.

5 (5) All books, records, funds, and other property of  
6 any kind or nature belonging or in any way appertaining to  
7 the University are the property of the University, and this  
8 State shall be deemed to have no ownership interest.

9 Section 10. The Southern Illinois University Management  
10 Act is amended by adding Section 1.5 as follows:

11 (110 ILCS 520/1.5 new)

12 Sec. 1.5. Transition to nonpublic university.

13 (a) Beginning on July 1, 2020, Southern Illinois University  
14 shall transition into a nonpublic institution of higher  
15 education. The Board of Trustees of Southern Illinois  
16 University shall develop and implement a 6-year plan for this  
17 transition. This plan shall include all of the following:

18 (1) A date upon which the University shall be deemed to  
19 be a nonpublic institution of higher education.

20 (2) The appointment, by the Board of Trustees, of a  
21 governing board to oversee the nonpublic university.

22 (3) A determination of all books, records, funds, and  
23 other property of any kind or nature belonging or in any  
24 way appertaining to the University that this State shall be

1 required to transfer to the University.

2 (4) How employees, along with their health care,  
3 retirement, and all other benefits, as well as any  
4 collective bargaining agreements, are to be addressed.

5 (5) Recommendations concerning the changes to  
6 statutory law needed to effectuate and reflect this  
7 transition.

8 A copy of this plan shall be filed with the General  
9 Assembly as provided in Section 3.1 of the General Assembly  
10 Organization Act.

11 (b) On the date selected by the Board of Trustees under  
12 subdivision (1) of subsection (a) of this Section, all of the  
13 following shall apply:

14 (1) The Board of Trustees is abolished and the terms of  
15 all members end, and all of the powers, duties, assets,  
16 liabilities, employees, contracts, property, records,  
17 pending business, and unexpended appropriations of the  
18 Board of Trustees shall be transferred to the governing  
19 board appointed under subdivision (2) of subsection (a) of  
20 this Section.

21 (2) All rules, standards, policies, and procedures of  
22 the University shall continue in effect until they are  
23 modified or abolished by the governing board appointed  
24 under subdivision (2) of subsection (a) of this Section.

25 (3) The authority of the Board of Higher Education over  
26 public institutions of higher education does not include

1 authority over the University.

2 (4) All references in statutes and rules to the  
3 University as a State university, a public university, or  
4 an institution of higher education funded or supported by  
5 this State shall be deemed to not refer to the University,  
6 and all references to private or nonpublic institutions of  
7 higher education in statutes and rules shall be deemed to  
8 refer to the University.

9 (5) All books, records, funds, and other property of  
10 any kind or nature belonging or in any way appertaining to  
11 the University are the property of the University, and this  
12 State shall be deemed to have no ownership interest.

13 Section 15. The Chicago State University Law is amended by  
14 adding Section 5-3 as follows:

15 (110 ILCS 660/5-3 new)

16 Sec. 5-3. Transition to nonpublic university.

17 (a) Beginning on July 1, 2020, Chicago State University  
18 shall transition into a nonpublic institution of higher  
19 education. The Board of Trustees of Chicago State University  
20 shall develop and implement a 6-year plan for this transition.  
21 This plan shall include all of the following:

22 (1) A date upon which the University shall be deemed to  
23 be a nonpublic institution of higher education.

24 (2) The appointment, by the Board of Trustees, of a

1 governing board to oversee the nonpublic university.

2 (3) A determination of all books, records, funds, and  
3 other property of any kind or nature belonging or in any  
4 way appertaining to the University that this State shall be  
5 required to transfer to the University.

6 (4) How employees, along with their health care,  
7 retirement, and all other benefits, as well as any  
8 collective bargaining agreements, are to be addressed.

9 (5) Recommendations concerning the changes to  
10 statutory law needed to effectuate and reflect this  
11 transition.

12 A copy of this plan shall be filed with the General  
13 Assembly as provided in Section 3.1 of the General Assembly  
14 Organization Act.

15 (b) On the date selected by the Board of Trustees under  
16 subdivision (1) of subsection (a) of this Section, all of the  
17 following shall apply:

18 (1) The Board of Trustees is abolished and the terms of  
19 all members end, and all of the powers, duties, assets,  
20 liabilities, employees, contracts, property, records,  
21 pending business, and unexpended appropriations of the  
22 Board of Trustees shall be transferred to the governing  
23 board appointed under subdivision (2) of subsection (a) of  
24 this Section.

25 (2) All rules, standards, policies, and procedures of  
26 the University shall continue in effect until they are

1 modified or abolished by the governing board appointed  
2 under subdivision (2) of subsection (a) of this Section.

3 (3) The authority of the Board of Higher Education over  
4 public institutions of higher education does not include  
5 authority over the University.

6 (4) All references in statutes and rules to the  
7 University as a State university, a public university, or  
8 an institution of higher education funded or supported by  
9 this State shall be deemed to not refer to the University,  
10 and all references to private or nonpublic institutions of  
11 higher education in statutes and rules shall be deemed to  
12 refer to the University.

13 (5) All books, records, funds, and other property of  
14 any kind or nature belonging or in any way appertaining to  
15 the University are the property of the University, and this  
16 State shall be deemed to have no ownership interest.

17 Section 20. The Eastern Illinois University Law is amended  
18 by adding Section 10-3 as follows:

19 (110 ILCS 665/10-3 new)

20 Sec. 10-3. Transition to nonpublic university.

21 (a) Beginning on July 1, 2020, Eastern Illinois University  
22 shall transition into a nonpublic institution of higher  
23 education. The Board of Trustees of Eastern Illinois University  
24 shall develop and implement a 6-year plan for this transition.



1 This plan shall include all of the following:

2 (1) A date upon which the University shall be deemed to  
3 be a nonpublic institution of higher education.

4 (2) The appointment, by the Board of Trustees, of a  
5 governing board to oversee the nonpublic university.

6 (3) A determination of all books, records, funds, and  
7 other property of any kind or nature belonging or in any  
8 way appertaining to the University that this State shall be  
9 required to transfer to the University.

10 (4) How employees, along with their health care,  
11 retirement, and all other benefits, as well as any  
12 collective bargaining agreements, are to be addressed.

13 (5) Recommendations concerning the changes to  
14 statutory law needed to effectuate and reflect this  
15 transition.

16 A copy of this plan shall be filed with the General  
17 Assembly as provided in Section 3.1 of the General Assembly  
18 Organization Act.

19 (b) On the date selected by the Board of Trustees under  
20 subdivision (1) of subsection (a) of this Section, all of the  
21 following shall apply:

22 (1) The Board of Trustees is abolished and the terms of  
23 all members end, and all of the powers, duties, assets,  
24 liabilities, employees, contracts, property, records,  
25 pending business, and unexpended appropriations of the  
26 Board of Trustees shall be transferred to the governing

1 board appointed under subdivision (2) of subsection (a) of  
2 this Section.

3 (2) All rules, standards, policies, and procedures of  
4 the University shall continue in effect until they are  
5 modified or abolished by the governing board appointed  
6 under subdivision (2) of subsection (a) of this Section.

7 (3) The authority of the Board of Higher Education over  
8 public institutions of higher education does not include  
9 authority over the University.

10 (4) All references in statutes and rules to the  
11 University as a State university, a public university, or  
12 an institution of higher education funded or supported by  
13 this State shall be deemed to not refer to the University,  
14 and all references to private or nonpublic institutions of  
15 higher education in statutes and rules shall be deemed to  
16 refer to the University.

17 (5) All books, records, funds, and other property of  
18 any kind or nature belonging or in any way appertaining to  
19 the University are the property of the University, and this  
20 State shall be deemed to have no ownership interest.

21 Section 25. The Governors State University Law is amended  
22 by adding Section 15-3 as follows:

23 (110 ILCS 670/15-3 new)

24 Sec. 15-3. Transition to nonpublic university.

1       (a) Beginning on July 1, 2020, Governors State University  
2 shall transition into a nonpublic institution of higher  
3 education. The Board of Trustees of Governors State University  
4 shall develop and implement a 6-year plan for this transition.  
5 This plan shall include all of the following:

6           (1) A date upon which the University shall be deemed to  
7 be a nonpublic institution of higher education.

8           (2) The appointment, by the Board of Trustees, of a  
9 governing board to oversee the nonpublic university.

10          (3) A determination of all books, records, funds, and  
11 other property of any kind or nature belonging or in any  
12 way appertaining to the University that this State shall be  
13 required to transfer to the University.

14          (4) How employees, along with their health care,  
15 retirement, and all other benefits, as well as any  
16 collective bargaining agreements, are to be addressed.

17          (5) Recommendations concerning the changes to  
18 statutory law needed to effectuate and reflect this  
19 transition.

20       A copy of this plan shall be filed with the General  
21 Assembly as provided in Section 3.1 of the General Assembly  
22 Organization Act.

23       (b) On the date selected by the Board of Trustees under  
24 subdivision (1) of subsection (a) of this Section, all of the  
25 following shall apply:

26           (1) The Board of Trustees is abolished and the terms of

1 all members end, and all of the powers, duties, assets,  
2 liabilities, employees, contracts, property, records,  
3 pending business, and unexpended appropriations of the  
4 Board of Trustees shall be transferred to the governing  
5 board appointed under subdivision (2) of subsection (a) of  
6 this Section.

7 (2) All rules, standards, policies, and procedures of  
8 the University shall continue in effect until they are  
9 modified or abolished by the governing board appointed  
10 under subdivision (2) of subsection (a) of this Section.

11 (3) The authority of the Board of Higher Education over  
12 public institutions of higher education does not include  
13 authority over the University.

14 (4) All references in statutes and rules to the  
15 University as a State university, a public university, or  
16 an institution of higher education funded or supported by  
17 this State shall be deemed to not refer to the University,  
18 and all references to private or nonpublic institutions of  
19 higher education in statutes and rules shall be deemed to  
20 refer to the University.

21 (5) All books, records, funds, and other property of  
22 any kind or nature belonging or in any way appertaining to  
23 the University are the property of the University, and this  
24 State shall be deemed to have no ownership interest.

25 Section 30. The Illinois State University Law is amended by

1 adding Section 20-3 as follows:

2 (110 ILCS 675/20-3 new)

3 Sec. 20-3. Transition to nonpublic university.

4 (a) Beginning on July 1, 2020, Illinois State University  
5 shall transition into a nonpublic institution of higher  
6 education. The Board of Trustees of Illinois State University  
7 shall develop and implement a 6-year plan for this transition.  
8 This plan shall include all of the following:

9 (1) A date upon which the University shall be deemed to  
10 be a nonpublic institution of higher education.

11 (2) The appointment, by the Board of Trustees, of a  
12 governing board to oversee the nonpublic university.

13 (3) A determination of all books, records, funds, and  
14 other property of any kind or nature belonging or in any  
15 way appertaining to the University that this State shall be  
16 required to transfer to the University.

17 (4) How employees, along with their health care,  
18 retirement, and all other benefits, as well as any  
19 collective bargaining agreements, are to be addressed.

20 (5) Recommendations concerning the changes to  
21 statutory law needed to effectuate and reflect this  
22 transition.

23 A copy of this plan shall be filed with the General  
24 Assembly as provided in Section 3.1 of the General Assembly  
25 Organization Act.

1       (b) On the date selected by the Board of Trustees under  
2 subdivision (1) of subsection (a) of this Section, all of the  
3 following shall apply:

4           (1) The Board of Trustees is abolished and the terms of  
5 all members end, and all of the powers, duties, assets,  
6 liabilities, employees, contracts, property, records,  
7 pending business, and unexpended appropriations of the  
8 Board of Trustees shall be transferred to the governing  
9 board appointed under subdivision (2) of subsection (a) of  
10 this Section.

11           (2) All rules, standards, policies, and procedures of  
12 the University shall continue in effect until they are  
13 modified or abolished by the governing board appointed  
14 under subdivision (2) of subsection (a) of this Section.

15           (3) The authority of the Board of Higher Education over  
16 public institutions of higher education does not include  
17 authority over the University.

18           (4) All references in statutes and rules to the  
19 University as a State university, a public university, or  
20 an institution of higher education funded or supported by  
21 this State shall be deemed to not refer to the University,  
22 and all references to private or nonpublic institutions of  
23 higher education in statutes and rules shall be deemed to  
24 refer to the University.

25           (5) All books, records, funds, and other property of  
26 any kind or nature belonging or in any way appertaining to

1       the University are the property of the University, and this  
2       State shall be deemed to have no ownership interest.

3       Section 35. The Northeastern Illinois University Law is  
4       amended by adding Section 25-3 as follows:

5             (110 ILCS 680/25-3 new)

6       Sec. 25-3. Transition to nonpublic university.

7       (a) Beginning on July 1, 2020, Northeastern Illinois  
8       University shall transition into a nonpublic institution of  
9       higher education. The Board of Trustees of Northeastern  
10       Illinois University shall develop and implement a 6-year plan  
11       for this transition. This plan shall include all of the  
12       following:

13             (1) A date upon which the University shall be deemed to  
14       be a nonpublic institution of higher education.

15             (2) The appointment, by the Board of Trustees, of a  
16       governing board to oversee the nonpublic university.

17             (3) A determination of all books, records, funds, and  
18       other property of any kind or nature belonging or in any  
19       way appertaining to the University that this State shall be  
20       required to transfer to the University.

21             (4) How employees, along with their health care,  
22       retirement, and all other benefits, as well as any  
23       collective bargaining agreements, are to be addressed.

24             (5) Recommendations concerning the changes to

1 statutory law needed to effectuate and reflect this  
2 transition.

3 A copy of this plan shall be filed with the General  
4 Assembly as provided in Section 3.1 of the General Assembly  
5 Organization Act.

6 (b) On the date selected by the Board of Trustees under  
7 subdivision (1) of subsection (a) of this Section, all of the  
8 following shall apply:

9 (1) The Board of Trustees is abolished and the terms of  
10 all members end, and all of the powers, duties, assets,  
11 liabilities, employees, contracts, property, records,  
12 pending business, and unexpended appropriations of the  
13 Board of Trustees shall be transferred to the governing  
14 board appointed under subdivision (2) of subsection (a) of  
15 this Section.

16 (2) All rules, standards, policies, and procedures of  
17 the University shall continue in effect until they are  
18 modified or abolished by the governing board appointed  
19 under subdivision (2) of subsection (a) of this Section.

20 (3) The authority of the Board of Higher Education over  
21 public institutions of higher education does not include  
22 authority over the University.

23 (4) All references in statutes and rules to the  
24 University as a State university, a public university, or  
25 an institution of higher education funded or supported by  
26 this State shall be deemed to not refer to the University,



1 and all references to private or nonpublic institutions of  
2 higher education in statutes and rules shall be deemed to  
3 refer to the University.

4 (5) All books, records, funds, and other property of  
5 any kind or nature belonging or in any way appertaining to  
6 the University are the property of the University, and this  
7 State shall be deemed to have no ownership interest.

8 Section 40. The Northern Illinois University Law is amended  
9 by adding Section 30-3 as follows:

10 (110 ILCS 685/30-3 new)

11 Sec. 30-3. Transition to nonpublic university.

12 (a) Beginning on July 1, 2020, Northern Illinois University  
13 shall transition into a nonpublic institution of higher  
14 education. The Board of Trustees of Northern Illinois  
15 University shall develop and implement a 6-year plan for this  
16 transition. This plan shall include all of the following:

17 (1) A date upon which the University shall be deemed to  
18 be a nonpublic institution of higher education.

19 (2) The appointment, by the Board of Trustees, of a  
20 governing board to oversee the nonpublic university.

21 (3) A determination of all books, records, funds, and  
22 other property of any kind or nature belonging or in any  
23 way appertaining to the University that this State shall be  
24 required to transfer to the University.

1           (4) How employees, along with their health care,  
2           retirement, and all other benefits, as well as any  
3           collective bargaining agreements, are to be addressed.

4           (5) Recommendations concerning the changes to  
5           statutory law needed to effectuate and reflect this  
6           transition.

7           A copy of this plan shall be filed with the General  
8           Assembly as provided in Section 3.1 of the General Assembly  
9           Organization Act.

10          (b) On the date selected by the Board of Trustees under  
11          subdivision (1) of subsection (a) of this Section, all of the  
12          following shall apply:

13           (1) The Board of Trustees is abolished and the terms of  
14           all members end, and all of the powers, duties, assets,  
15           liabilities, employees, contracts, property, records,  
16           pending business, and unexpended appropriations of the  
17           Board of Trustees shall be transferred to the governing  
18           board appointed under subdivision (2) of subsection (a) of  
19           this Section.

20           (2) All rules, standards, policies, and procedures of  
21           the University shall continue in effect until they are  
22           modified or abolished by the governing board appointed  
23           under subdivision (2) of subsection (a) of this Section.

24           (3) The authority of the Board of Higher Education over  
25           public institutions of higher education does not include  
26           authority over the University.

1           (4) All references in statutes and rules to the  
2           University as a State university, a public university, or  
3           an institution of higher education funded or supported by  
4           this State shall be deemed to not refer to the University,  
5           and all references to private or nonpublic institutions of  
6           higher education in statutes and rules shall be deemed to  
7           refer to the University.

8           (5) All books, records, funds, and other property of  
9           any kind or nature belonging or in any way appertaining to  
10           the University are the property of the University, and this  
11           State shall be deemed to have no ownership interest.

12           Section 45. The Western Illinois University Law is amended  
13           by adding Section 35-3 as follows:

14           (110 ILCS 690/35-3 new)

15           Sec. 35-3. Transition to nonpublic university.

16           (a) Beginning on July 1, 2020, Western Illinois University  
17           shall transition into a nonpublic institution of higher  
18           education. The Board of Trustees of Western Illinois University  
19           shall develop and implement a 6-year plan for this transition.  
20           This plan shall include all of the following:

21           (1) A date upon which the University shall be deemed to  
22           be a nonpublic institution of higher education.

23           (2) The appointment, by the Board of Trustees, of a  
24           governing board to oversee the nonpublic university.

1           (3) A determination of all books, records, funds, and  
2           other property of any kind or nature belonging or in any  
3           way appertaining to the University that this State shall be  
4           required to transfer to the University.

5           (4) How employees, along with their health care,  
6           retirement, and all other benefits, as well as any  
7           collective bargaining agreements, are to be addressed.

8           (5) Recommendations concerning the changes to  
9           statutory law needed to effectuate and reflect this  
10           transition.

11           A copy of this plan shall be filed with the General  
12           Assembly as provided in Section 3.1 of the General Assembly  
13           Organization Act.

14           (b) On the date selected by the Board of Trustees under  
15           subdivision (1) of subsection (a) of this Section, all of the  
16           following shall apply:

17           (1) The Board of Trustees is abolished and the terms of  
18           all members end, and all of the powers, duties, assets,  
19           liabilities, employees, contracts, property, records,  
20           pending business, and unexpended appropriations of the  
21           Board of Trustees shall be transferred to the governing  
22           board appointed under subdivision (2) of subsection (a) of  
23           this Section.

24           (2) All rules, standards, policies, and procedures of  
25           the University shall continue in effect until they are  
26           modified or abolished by the governing board appointed

1 under subdivision (2) of subsection (a) of this Section.

2 (3) The authority of the Board of Higher Education over  
3 public institutions of higher education does not include  
4 authority over the University.

5 (4) All references in statutes and rules to the  
6 University as a State university, a public university, or  
7 an institution of higher education funded or supported by  
8 this State shall be deemed to not refer to the University,  
9 and all references to private or nonpublic institutions of  
10 higher education in statutes and rules shall be deemed to  
11 refer to the University.

12 (5) All books, records, funds, and other property of  
13 any kind or nature belonging or in any way appertaining to  
14 the University are the property of the University, and this  
15 State shall be deemed to have no ownership interest.

16 Section 50. The Higher Education Student Assistance Act is  
17 amended by adding Section 65.110 as follows:

18 (110 ILCS 947/65.110 new)

19 Sec. 65.110. Illinois Grant Program.

20 (a) Beginning with the 2020-2021 academic year, the  
21 Commission shall, each year, consider applications for grant  
22 assistance under this Section. An applicant is eligible for a  
23 grant under this Section if the Commission finds that the  
24 applicant meets all of the following qualifications:

1           (1) He or she is a United States citizen or eligible  
2           noncitizen.

3           (2) He or she is a resident of this State or, if a  
4           dependent for income tax purposes, the parent whose  
5           information is used on the Free Application for Federal  
6           Student Aid is a resident of this State. State residency  
7           shall be determined by the filing of a State income tax  
8           return.

9           (3) If a male, he has complied with federal Selective  
10          Service registration requirements.

11          (4) He or she has not been incarcerated.

12          (5) He or she is enrolled, for at least 15 credit  
13          hours, in an institution of higher learning and has not  
14          earned a bachelor's degree yet. A grant recipient must  
15          submit proof to the Commission each semester that he or she  
16          is still enrolled in the institution of higher learning.

17          (6) He or she demonstrates financial need, as  
18          determined by the Commission.

19          (7) He or she maintains satisfactory academic  
20          progress, as determined by the institution.

21          (8) He or she is not in default on any educational loan  
22          or does not owe a refund on any State or federal  
23          educational grant.

24          (b) Each year the Commission shall award grants under this  
25          Section among applicants qualified pursuant to subsection (a)  
26          of this Section. The Commission shall receive funding for the

1 grants through appropriations. The amount to be appropriated  
2 for the grant program for the 2026 fiscal year and each fiscal  
3 year thereafter shall equal the total amount appropriated to  
4 State universities from the General Revenue Fund for the 2020  
5 fiscal year, with the amount appropriated for the grant program  
6 for the 2021 fiscal year through the 2025 fiscal year being  
7 equal to a percentage of the total amount appropriated to State  
8 universities from the General Revenue Fund for the 2020 fiscal  
9 year, with that percentage increasing each of those fiscal  
10 years until the amount appropriated for the grant program for  
11 the 2026 fiscal year equals 100% of the total amount  
12 appropriated to State universities from the General Revenue  
13 Fund for the 2020 fiscal year. No amounts may be appropriated  
14 to State universities from the General Revenue Fund beginning  
15 with the 2026 fiscal year, with the amount appropriated to  
16 State universities from the General Revenue Fund for the 2021  
17 fiscal year through the 2025 fiscal year being reduced in an  
18 amount at least equal to the amount being appropriated for the  
19 grant program for that particular fiscal year. The amount of  
20 each grant shall equal the amount appropriated for the grant  
21 program for a given fiscal year divided by the number of  
22 applicants who qualify for a grant.

23 (c) The total amount of grant assistance awarded by the  
24 Commission under this Section to an individual in any given  
25 fiscal year, when added to other financial assistance awarded  
26 to that individual for that year, shall not exceed the cost of

1 attendance at the institution at which the student is enrolled.

2 (d) Payment of any grant under this Section shall be  
3 determined by the Commission. All grant funds distributed in  
4 accordance with this Section shall be paid to the institution  
5 on behalf of the recipients. Grant funds are applicable toward  
6 tuition for 2 semesters or 3 quarters of enrollment within an  
7 academic year.

8 (e) Prior to receiving grant assistance for any academic  
9 year, each recipient of a grant under this Section shall be  
10 required by the Commission to sign an agreement under which the  
11 recipient agrees to the following terms:

12 (1) If a grant recipient graduates from an institution  
13 in 4 years or less, he or she must repay one-half of the  
14 total amount of grants received under this Section.

15 (2) If a grant recipient does not graduate from an  
16 institution in 4 years or less, he or she must repay the  
17 total amount of grants received under this Section  
18 immediately over a 10-year period, with interest equal to  
19 the prime commercial rate of interest as from time to time  
20 is publicly announced by the largest commercial banking  
21 institution located in this State measured in terms of  
22 total assets, but in no event may the amount he or she is  
23 required to repay each year exceed 6% of his or her annual  
24 income. However, if the grant recipient graduates from an  
25 institution within that 10-year period, the Commission  
26 shall forgive one-half of the total amount of grants



1       received under this Section and adjust the amount he or she  
2       must repay.

3           (3) If the grant recipient resides in this State  
4       immediately following graduation from an institution, the  
5       Commission shall forgive, for each year of residency,  
6       one-eighth of the remaining grant amount owed.

7       Each recipient shall, upon request of the Commission,  
8       provide the Commission with evidence that he or she is  
9       fulfilling or has fulfilled the terms of the agreement provided  
10      for in this subsection (e).

11       The Commission is authorized to establish rules relating to  
12      its collection activities for repayment of grants under this  
13      Section, including the imposition of reasonable collection  
14      fees.

15       (f) A recipient of a grant under this Section is not in  
16      violation of the agreement entered into pursuant to subsection  
17      (e) of this Section if the recipient (i) is serving as a member  
18      of the armed services of the United States; (ii) is enrolled in  
19      a graduate program following graduation from an institution;  
20      (iii) is temporarily totally disabled, as established by sworn  
21      affidavit of a qualified physician; or (iii) cannot fulfill the  
22      obligation due to his or her death, disability, or  
23      incompetency, as established by sworn affidavit of a qualified  
24      physician. No claim for repayment may be filed against the  
25      estate of such a decedent or incompetent. Any extension of the  
26      period during which the obligation must be fulfilled is subject

1 to limitations of duration as established by the Commission.

2 (h) The Commission shall administer the grant program  
3 established by this Section and shall make all necessary and  
4 proper rules not inconsistent with this Section for its  
5 effective implementation.

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