



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3377

Introduced 2/22/2021, by Rep. Joe Sosnowski

#### 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

Amends various Acts relating to the governance of public universities in Illinois. Prohibits the governing board of each public university from requiring an individual to meet a minimum income threshold in determining whether the individual is an Illinois resident for tuition purposes. Effective June 1, 2021.

LRB102 16989 CMG 22409 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 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  
15 in 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  
20 at least 3 years as of the date the individual graduated  
21 from high school or received the equivalent of a high  
22 school 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  
15 and any of his or her dependents Illinois residents for  
16 tuition purposes. Beginning with the 2009-2010 academic year,  
17 if a 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  
22 long 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  
10 for 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) The Board of Trustees may not require an individual to  
16 meet a minimum income threshold in determining whether the  
17 individual is an Illinois resident for tuition purposes.

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

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

21 (110 ILCS 520/8d-5)

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

23 (a) Notwithstanding any other provision of law to the  
24 contrary, for tuition purposes, the Board shall deem an

1 individual an Illinois resident, until the individual  
2 establishes a residence outside of this State, if all of the  
3 following conditions are met:

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

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

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

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

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

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

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

1 any academic quarter, semester, or term, as applicable.

2 (c) The Board may not require an individual to meet a  
3 minimum income threshold in determining whether the individual  
4 is an Illinois resident for tuition purposes.

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

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

8 (110 ILCS 660/5-88)

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

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

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

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

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

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

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

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

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



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

15 (c) The Board may not require an individual to meet a  
16 minimum income threshold in determining whether the individual  
17 is an Illinois resident for tuition purposes.

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

19 Section 20. The Eastern Illinois University Law is amended  
20 by changing Section 10-88 as follows:

21 (110 ILCS 665/10-88)

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

23 (a) Notwithstanding any other provision of law to the  
24 contrary, for tuition purposes, the Board shall deem an

1 individual an Illinois resident, until the individual  
2 establishes a residence outside of this State, if all of the  
3 following conditions are met:

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

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

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

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

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

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

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

1 any academic quarter, semester, or term, as applicable.

2 (c) The Board may not require an individual to meet a  
3 minimum income threshold in determining whether the individual  
4 is an Illinois resident for tuition purposes.

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

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

8 (110 ILCS 670/15-88)

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

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

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

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

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

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

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

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

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

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

15 (c) The Board may not require an individual to meet a  
16 minimum income threshold in determining whether the individual  
17 is an Illinois resident for tuition purposes.

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

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

21 (110 ILCS 675/20-88)

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

23 (a) Notwithstanding any other provision of law to the  
24 contrary, for tuition purposes, the Board shall deem an

1 individual an Illinois resident, until the individual  
2 establishes a residence outside of this State, if all of the  
3 following conditions are met:

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

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

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

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

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

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

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



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

6 (c) The Board may not require an individual to meet a  
7 minimum income threshold in determining whether the individual  
8 is an Illinois resident for tuition purposes.

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

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

12 (110 ILCS 680/25-88)

13 Sec. 25-88. 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  
21 in 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  
2           at least 3 years as of the date the individual graduated  
3           from high school or received the equivalent of a high  
4           school 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

1 person 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) The Board may not require an individual to meet a  
20 minimum income threshold in determining whether the individual  
21 is an Illinois resident for tuition purposes.

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

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

1 (110 ILCS 685/30-88)

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

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

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

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

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

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

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

26 This subsection (a) applies only to tuition for a term or

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

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

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

6 (c) The Board may not require an individual to meet a  
7 minimum income threshold in determining whether the individual  
8 is an Illinois resident for tuition purposes.

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

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

12 (110 ILCS 690/35-88)

13 Sec. 35-88. 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  
21 in 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  
2           at least 3 years as of the date the individual graduated  
3           from high school or received the equivalent of a high  
4           school 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

1 person 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) The Board may not require an individual to meet a  
20 minimum income threshold in determining whether the individual  
21 is an Illinois resident for tuition purposes.

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

23 Section 99. Effective date. This Act takes effect June 1,  
24 2021.