

SB0587



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0587

Introduced 2/24/2021, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

105 ILCS 5/30-14.2
110 ILCS 947/40

from Ch. 122, par. 30-14.2

Amends the Higher Education Student Assistance Act with respect to the Illinois Veteran grant program. Provides that a grant recipient is not required to pay any tuition or mandatory fees while attending a State-controlled university or public community college in this State for a period that is based on the length of his or her active duty service, as verified on his or her U.S. Department of Defense form DD-214, calculated at specified credit hour rates (rather than for a period that is equivalent to 4 years of full-time enrollment, including summer terms). Provides that a grant may be transferred to a qualified dependent beginning with the 2022-2023 academic year. Amends the School Code to make a related change. Effective July 1, 2021.

LRB102 13301 CMG 18645 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 School Code is amended by changing Section
5 30-14.2 as follows:

6 (105 ILCS 5/30-14.2) (from Ch. 122, par. 30-14.2)
7 Sec. 30-14.2. MIA/POW scholarships.

8 (a) Any spouse, natural child, legally adopted child, or
9 step-child of an eligible veteran or serviceperson who
10 possesses all necessary entrance requirements shall, upon
11 application and proper proof, be awarded a MIA/POW Scholarship
12 consisting of the equivalent of 4 calendar years of full-time
13 enrollment including summer terms, to the state supported
14 Illinois institution of higher learning of his choice, subject
15 to the restrictions listed below.

16 "Eligible veteran or serviceperson" means any veteran or
17 serviceperson, including an Illinois National Guard member who
18 is on active duty or is active on a training assignment, who
19 has been declared by the U.S. Department of Defense or the U.S.
20 Department of Veterans Affairs to be a prisoner of war, be
21 missing in action, have died as the result of a
22 service-connected disability or have become a person with a
23 permanent disability from service-connected causes with 100%

1 disability and who (i) at the time of entering service was an
2 Illinois resident, (ii) was an Illinois resident within 6
3 months after entering such service, or (iii) is a resident of
4 Illinois at the time of application for the Scholarship and,
5 at some point after leaving such service, was a resident of
6 Illinois for at least 15 consecutive years.

7 Full-time enrollment means 12 or more semester hours of
8 courses per semester, or 12 or more quarter hours of courses
9 per quarter, or the equivalent thereof per term. Scholarships
10 utilized by dependents enrolled in less than full-time study
11 shall be computed in the proportion which the number of hours
12 so carried bears to full-time enrollment.

13 Scholarships awarded under this Section may be used by a
14 spouse or child without regard to his or her age. The holder of
15 a Scholarship awarded under this Section shall be subject to
16 all examinations and academic standards, including the
17 maintenance of minimum grade levels, that are applicable
18 generally to other enrolled students at the Illinois
19 institution of higher learning where the Scholarship is being
20 used. If the surviving spouse remarries or if there is a
21 divorce between the veteran or serviceperson and his or her
22 spouse while the dependent is pursuing his or her course of
23 study, Scholarship benefits will be terminated at the end of
24 the term for which he or she is presently enrolled. Such
25 dependents shall also be entitled, upon proper proof and
26 application, to enroll in any extension course offered by a

1 State supported Illinois institution of higher learning
2 without payment of tuition and approved fees.

3 The holder of a MIA/POW Scholarship authorized under this
4 Section shall not be required to pay any matriculation or
5 application fees, tuition, activities fees, graduation fees or
6 other fees, except multipurpose building fees or similar fees
7 for supplies and materials.

8 Any dependent who has been or shall be awarded a MIA/POW
9 Scholarship shall be reimbursed by the appropriate institution
10 of higher learning for any fees which he or she has paid and
11 for which exemption is granted under this Section if
12 application for reimbursement is made within 2 months
13 following the end of the school term for which the fees were
14 paid.

15 (b) In lieu of the benefit provided in subsection (a), any
16 spouse, natural child, legally adopted child, or step-child of
17 an eligible veteran or serviceperson, which spouse or child
18 has a physical, mental or developmental disability, shall be
19 entitled to receive, upon application and proper proof, a
20 benefit to be used for the purpose of defraying the cost of the
21 attendance or treatment of such spouse or child at one or more
22 appropriate therapeutic, rehabilitative or educational
23 facilities. The application and proof may be made by the
24 parent or legal guardian of the spouse or child on his or her
25 behalf.

26 The total benefit provided to any beneficiary under this

1 subsection shall not exceed the cost equivalent of 4 calendar
2 years of full-time enrollment, including summer terms, at the
3 University of Illinois. Whenever practicable in the opinion of
4 the Department of Veterans' Affairs, payment of benefits under
5 this subsection shall be made directly to the facility, the
6 cost of attendance or treatment at which is being defrayed, as
7 such costs accrue.

8 (c) The benefits of this Section shall be administered by
9 and paid for out of funds made available to the Illinois
10 Department of Veterans' Affairs. The amounts that become due
11 to any state supported Illinois institution of higher learning
12 shall be payable by the Comptroller to such institution on
13 vouchers approved by the Illinois Department of Veterans'
14 Affairs. The amounts that become due under subsection (b) of
15 this Section shall be payable by warrant upon vouchers issued
16 by the Illinois Department of Veterans' Affairs and approved
17 by the Comptroller. The Illinois Department of Veterans'
18 Affairs shall determine the eligibility of the persons who
19 make application for the benefits provided for in this
20 Section.

21 (d) A spouse, natural child, legally adopted child, or
22 step-child of an eligible veteran or serviceperson is not
23 eligible to receive any benefits under this Section if he or
24 she is receiving grant assistance under Section 40 of the
25 Higher Education Student Assistance Act.

26 (Source: P.A. 100-201, eff. 8-18-17; 101-334, eff. 8-9-19.)

1 Section 10. The Higher Education Student Assistance Act is
2 amended by changing Section 40 as follows:

3 (110 ILCS 947/40)

4 Sec. 40. Illinois Veteran grant program.

5 (a) As used in this Section:

6 "Qualified applicant" means a person who served in the
7 Armed Forces of the United States, a Reserve component of the
8 Armed Forces, or the Illinois National Guard, excluding
9 members of the Reserve Officers' Training Corps and those
10 whose only service has been attendance at a service academy,
11 and who meets all of the qualifications of either paragraphs
12 (1) through (4) or paragraphs (2), (3), and (5):

13 (1) At the time of entering federal active duty
14 service the person was one of the following:

15 (A) An Illinois resident.

16 (B) An Illinois resident within 6 months of
17 entering such service.

18 (C) Enrolled at a State-controlled university or
19 public community college in this State.

20 (2) The person meets one of the following
21 requirements:

22 (A) He or she served at least one year of federal
23 active duty.

24 (B) He or she served less than one year of federal

1 active duty and received an honorable discharge for
2 medical reasons directly connected with such service.

3 (C) He or she served less than one year of federal
4 active duty and was discharged prior to August 11,
5 1967.

6 (D) He or she served less than one year of federal
7 active duty in a foreign country during a time of
8 hostilities in that foreign country.

9 (3) The person received an honorable discharge after
10 leaving each period of federal active duty service.

11 (4) The person returned to this State within 6 months
12 after leaving federal active duty service, or, if married
13 to a person in continued military service stationed
14 outside this State, returned to this State within 6 months
15 after his or her spouse left service or was stationed
16 within this State.

17 (5) The person does not meet the requirements of
18 paragraph (1), but (i) is a resident of Illinois at the
19 time of application to the Commission and (ii) at some
20 point after leaving federal active duty service, was a
21 resident of Illinois for at least 15 consecutive years.

22 "Qualified dependent" means any spouse or natural born or
23 legally adopted child of a veteran of the United States Armed
24 Forces who meets all of the following qualifications:

25 (1) Has earned a high school diploma or high school
26 equivalency certificate or is at least 18 years of age

1 and, for a natural born or legally adopted child of a
2 veteran, less than 26 years of age, unless granted an
3 extension by the Commission due to a qualifying illness or
4 debilitating condition.

5 (2) Meets the cumulative grade point average
6 requirements of the postsecondary institution.

7 (3) Is a resident of Illinois for the term in which the
8 grant under subsection (i) is transferred.

9 "Time of hostilities" means any action by the Armed Forces
10 of the United States that is recognized by the issuance of a
11 Presidential proclamation or a Presidential executive order
12 and in which the Armed Forces expeditionary medal or other
13 campaign service medals are awarded according to Presidential
14 executive order.

15 (b) A person who otherwise qualifies under the definition
16 of "qualified applicant" under subsection (a) of this Section
17 but has not left federal active duty service and has served at
18 least one year of federal active duty or has served for less
19 than one year of federal active duty in a foreign country
20 during a time of hostilities in that foreign country and who
21 can provide documentation demonstrating an honorable service
22 record is eligible to receive assistance under this Section.

23 (c) A grant recipient ~~qualified applicant~~ is not required
24 to pay any tuition or mandatory fees while attending a
25 State-controlled university or public community college in
26 this State for a period that is based on the length of the

1 qualified applicant's federal active duty service, as verified
2 on his or her U.S. Department of Defense form DD-214,
3 calculated as follows:

4 (1) 72 credit hours (or 60% of the maximum payable
5 benefit) for 12 or more months but less than 18 months of
6 active duty service;

7 (2) 84 credit hours (or 70% of the maximum payable
8 benefit) for 18 or more months but less than 24 months of
9 active duty service;

10 (3) 96 credit hours (or 80% of the maximum payable
11 benefit) for 24 or more months but less than 30 months of
12 service;

13 (4) 108 credit hours (or 90% of the maximum payable
14 benefit) for 30 or more months but less than 36 months of
15 service; or

16 (5) 120 credit hours (or 100% of the maximum payable
17 benefit) for 36 or more months of service ~~equivalent to 4~~
18 ~~years of full time enrollment, including summer terms.~~

19 A qualified applicant who has previously received benefits
20 under this Section for a non-mandatory fee shall continue to
21 receive benefits covering such fees while he or she is
22 enrolled in a continuous program of study. The qualified
23 applicant shall no longer receive a grant covering
24 non-mandatory fees if he or she fails to enroll during an
25 academic term, unless he or she is serving federal active duty
26 service.

1 (d) A person ~~qualified applicant~~ who has been or is to be
2 awarded assistance under this Section shall receive that
3 assistance if the person ~~qualified applicant~~ notifies his or
4 her postsecondary institution of that fact by the end of the
5 school term for which assistance is requested.

6 (e) Assistance under this Section is considered an
7 entitlement that the State-controlled college or public
8 community college in which the person ~~qualified applicant~~ is
9 enrolled shall honor without any condition other than the
10 person's ~~qualified applicant's~~ maintenance of minimum grade
11 levels and a satisfactory student loan repayment record
12 pursuant to subsection (c) of Section 20 of this Act.

13 (f) The Commission shall administer the grant program
14 established by this Section and shall make all necessary and
15 proper rules not inconsistent with this Section for its
16 effective implementation.

17 (g) All applications for assistance under this Section
18 must be made to the Commission on forms that the Commission
19 shall provide. The Commission shall determine the form of
20 application and the information required to be set forth in
21 the application, and the Commission shall require ~~qualified~~
22 applicants to submit with their applications any supporting
23 documents that the Commission deems necessary. Upon request,
24 the Department of Veterans' Affairs shall assist the
25 Commission in determining the eligibility of applicants for
26 assistance under this Section.

1 (h) Assistance under this Section is available as long as
2 the federal government provides educational benefits to
3 veterans. Assistance must not be paid under this Section after
4 6 months following the termination of educational benefits to
5 veterans by the federal government, except for persons who
6 already have begun their education with assistance under this
7 Section. If the federal government terminates educational
8 benefits to veterans and at a later time resumes those
9 benefits, assistance under this Section shall resume.

10 (i) Beginning with the 2022-2023 academic year, a grant
11 awarded under this Section may be transferred to a qualified
12 dependent if the qualified dependent's spouse or parent meets
13 all of the following qualifications:

14 (1) He or she is a qualified applicant under
15 subsection (a) or (b).

16 (2) He or she has served at least 6 years of federal
17 active duty service and at least 2 years of Reserve or
18 Individual Ready Reserve service.

19 (3) He or she has no federal veterans' educational
20 benefits or no federal veterans' educational benefits
21 dedicated only to the payment of tuition and fees, such as
22 Chapter 31 or 33 benefits, for an enrolled term or
23 semester that exceed the value of a grant under this
24 Section.

25 (4) He or she is a resident of Illinois during the term
26 of the qualified dependent's enrollment unless the veteran

1 has been recalled to active duty outside the State or has
2 rejoined the military and is outside the State pursuant to
3 military orders. However, a veteran who has a
4 service-connected disability rating, as determined by the
5 U.S. Department of Veterans Affairs, of 90% to 100% or is
6 unemployable based on a total disability, as determined by
7 the U.S. Department of Veterans Affairs, is not required
8 to maintain Illinois residency while his or her qualified
9 dependent receives benefits under this subsection.

10 A qualified dependent of a person who was killed in the
11 line of duty, was a prisoner of war, was missing in action, had
12 a service-connected disability rating, as determined by the
13 U.S. Department of Veterans Affairs, of 90% to 100%, was
14 unemployable based on a total disability, as determined by the
15 U.S. Department of Veterans Affairs, or died as a result of
16 injury or illness directly related to his or her military
17 service is eligible for a grant transfer of no less than 120
18 credit hours under this subsection if the spouse or parent
19 would have otherwise met the qualifications under this
20 subsection. A dependent who is a natural born or legally
21 adopted child of a veteran may still qualify for a grant under
22 this subsection if he or she marries or if his or her parents
23 divorce.

24 Benefits under this Section may not be used simultaneously
25 by both the veteran and his or her qualified dependent. A
26 veteran may revoke or otherwise change the transfer of his or

1 her benefits to a qualified dependent under this subsection at
2 any time but may not transfer his or her benefits to the same
3 qualified dependent again once those benefits have been
4 revoked for that qualified dependent. Benefits under this
5 Section may not be transferred to a qualified dependent if he
6 or she is receiving grant assistance under Section 30-14.2 of
7 the School Code.

8 A veteran may transfer benefits under this subsection to
9 multiple qualified dependents; however, the total number of
10 credit hours of assistance transferred may not exceed 120
11 credit hours, and a veteran may transfer benefits to only one
12 qualified dependent at a time.

13 (Source: P.A. 101-334, eff. 8-9-19.)

14 Section 99. Effective date. This Act takes effect July 1,
15 2021.