



Rep. Maurice A. West, II

Filed: 4/25/2023

10300HB2898ham001

LRB103 05261 RJT 60220 a

1 AMENDMENT TO HOUSE BILL 2898

2 AMENDMENT NO. _____. Amend House Bill 2898 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding
5 Section 5.990 as follows:

6 (30 ILCS 105/5.990 new)

7 Sec. 5.990. The MAP Refund Fund.

8 Section 10. The Private College Act is amended by adding
9 Section 14.15 as follows:

10 (110 ILCS 1005/14.15 new)

11 Sec. 14.15. Unfair, misleading, or deceptive practice
12 finding; refund; grant.

13 (a) In this Section, "unfair, misleading, or deceptive
14 practice" means an act or practice in which a representation,

1 omission, or practice misleads or is likely to mislead a
2 consumer, as determined by the Federal Trade Commission, the
3 United States Department of Education, or the United States
4 Bureau of Consumer Financial Protection in a court of
5 competent jurisdiction.

6 (b) This Section applies to a for-profit, post-secondary
7 educational institution that received monetary award program
8 funds under Section 35 of the Higher Education Student
9 Assistance Act at a time the institution was found to have been
10 using an unfair, misleading, or deceptive practice, as defined
11 by the Federal Trade Commission, the United States Department
12 of Education, or the United States Bureau of Consumer
13 Financial Protection, and is required to reimburse students
14 for loans taken to pay for the students' education in
15 accordance with a final judgment against the institution
16 issued by a court of competent jurisdiction, based on acts
17 occurring at least 6 months after the effective date of this
18 amendatory Act of the 103rd General Assembly. Any monetary
19 award program funds paid to the for-profit, post-secondary
20 educational institution for students who attended the
21 institution during the period of judgment must be refunded to
22 the Illinois Student Assistance Commission.

23 (c) If a post-secondary educational institution is
24 required to issue a refund to the Illinois Student Assistance
25 Commission under this Section, the refund shall be deposited
26 into the MAP Refund Fund. The Commission shall use funds

1 appropriated from the MAP Refund Fund to award grants to
2 students as provided in this Section. A post-secondary
3 educational institution required to issue a refund to the
4 Illinois Student Assistance Commission under this Section must
5 notify the Illinois Student Assistance Commission within 30
6 days after a final judgment issued by a court of competent
7 jurisdiction, and issue the refund within 6 months. A
8 for-profit, post-secondary educational institution with a
9 judgment against it must notify students who attended the
10 post-secondary educational institution during the period of
11 judgment and received monetary award program funds,
12 electronically and by certified mail, within 6 months after
13 issuance of the refund to the Illinois Student Assistance
14 Commission.

15 (d) The Commission shall make applications for grants
16 under subsection (c) available in the next academic year after
17 the deposit of funds into the MAP Refund Fund or as soon as is
18 practicable. The application process shall be administered by
19 the Commission and shall remain open until no funds remain in
20 the MAP Refund Fund, subject to the other provisions of this
21 Section.

22 (e) The Commission shall determine the maximum amount of a
23 grant that may be provided under this Section in an academic
24 year. A grant under this Section may be awarded to a student in
25 addition to a monetary award program grant. However, the
26 combined amounts of those grants may not exceed the total cost

1 of tuition and fees for the academic year at the
2 post-secondary educational institution at which the student is
3 enrolled.

4 (f) Beginning in the third academic year following the
5 issuance of refunds under subsection (b), the remaining
6 balance in the MAP Refund Fund shall be appropriated to the
7 Commission for the Commission's operating budget for the
8 monetary award program.

9 (g) The MAP Refund Fund is created as a special fund in the
10 State treasury. All money in the Fund shall be used, subject to
11 appropriation, by the Commission for the purposes set forth in
12 this Section.

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