

SB2677



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2677

Introduced 1/10/2024, 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 2025-2026 academic year. Amends the School Code to make a related change. Effective July 1, 2024.

LRB103 36563 RJT 66670 b

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. Deceased, Disabled, and MIA/POW Veterans'
8 Dependents scholarship.

9 (a) Any spouse, natural child, legally adopted child under
10 the age of 18 at the time of adoption, minor child younger than
11 18 who is under a court-ordered guardianship for at least 2
12 continuous years prior to application, or step-child under the
13 age of 18 at the time of marriage of an eligible veteran or
14 serviceperson who possesses all necessary entrance
15 requirements shall, upon application and proper proof, be
16 awarded a MIA/POW Scholarship consisting of the equivalent of
17 4 calendar years of full-time enrollment including summer
18 terms, to the state supported Illinois institution of higher
19 learning of his choice, subject to the restrictions listed
20 below.

21 "Eligible veteran or serviceperson" means any veteran or
22 serviceperson, including an Illinois National Guard member who
23 is on active duty or is active on a training assignment, who

1 has been declared by the U.S. Department of Defense or the U.S.
2 Department of Veterans Affairs to be a prisoner of war or
3 missing in action, or has died as the result of a
4 service-connected disability or has become a person with a
5 permanent disability from service-connected causes with 100%
6 disability and who (i) at the time of entering service was an
7 Illinois resident, or (ii) was an Illinois resident within 6
8 months after entering such service, or (iii) is a resident of
9 Illinois at the time of application for the Scholarship and,
10 at some point after entering such service, was a resident of
11 Illinois for at least 15 consecutive years.

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

18 Scholarships awarded under this Section may be used by a
19 spouse or child without regard to his or her age. The holder of
20 a Scholarship awarded under this Section shall be subject to
21 all examinations and academic standards, including the
22 maintenance of minimum grade levels, that are applicable
23 generally to other enrolled students at the Illinois
24 institution of higher learning where the Scholarship is being
25 used. If the surviving spouse remarries or if there is a
26 divorce between the veteran or serviceperson and his or her

1 spouse while the dependent is pursuing his or her course of
2 study, Scholarship benefits will be terminated at the end of
3 the term for which he or she is presently enrolled. Such
4 dependents shall also be entitled, upon proper proof and
5 application, to enroll in any extension course offered by a
6 State supported Illinois institution of higher learning
7 without payment of tuition and approved fees.

8 The holder of a MIA/POW Scholarship authorized under this
9 Section shall not be required to pay any tuition or mandatory
10 fees while attending a State-controlled university or public
11 community college in this State for a period equivalent to 4
12 years of enrollment, including summer terms.

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

20 (b) In lieu of the benefit provided in subsection (a), any
21 spouse, natural child, legally adopted child, or step-child of
22 an eligible veteran or serviceperson, which spouse or child
23 has a physical, mental or developmental disability, shall be
24 entitled to receive, upon application and proper proof, a
25 benefit to be used for the purpose of defraying the cost of the
26 attendance or treatment of such spouse or child at one or more

1 appropriate therapeutic, rehabilitative or educational
2 facilities. The application and proof may be made by the
3 parent or legal guardian of the spouse or child on his or her
4 behalf.

5 The total benefit provided to any beneficiary under this
6 subsection shall not exceed the cost equivalent of 4 calendar
7 years of full-time enrollment, including summer terms, at the
8 University of Illinois. Whenever practicable in the opinion of
9 the Department of Veterans' Affairs, payment of benefits under
10 this subsection shall be made directly to the facility, the
11 cost of attendance or treatment at which is being defrayed, as
12 such costs accrue.

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

26 (d) A person is not eligible to receive any benefits under

1 this Section if he or she is receiving grant assistance under
2 Section 40 of the Higher Education Student Assistance Act.

3 (Source: P.A. 101-334, eff. 8-9-19; 102-855, eff. 5-13-22.)

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

6 (110 ILCS 947/40)

7 Sec. 40. Illinois Veteran grant program.

8 (a) As used in this Section:

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

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

18 (A) An Illinois resident.

19 (B) An Illinois resident within 6 months of
20 entering such service.

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

23 (2) The person meets one of the following
24 requirements:

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

3 (B) He or she served less than one year of federal
4 active duty and received an honorable discharge for
5 medical reasons directly connected with such service.

6 (C) He or she served less than one year of federal
7 active duty and was discharged prior to August 11,
8 1967.

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

12 (3) The person received an honorable discharge after
13 leaving federal active duty service.

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

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

25 "Qualified dependent" means any spouse or natural born or
26 legally adopted child of a veteran of the United States Armed

1 Forces who meets all of the following qualifications:

2 (1) Has earned a high school diploma or high school
3 equivalency certificate or is at least 18 years of age
4 and, for a natural born or legally adopted child of a
5 veteran, less than 26 years of age, unless granted an
6 extension by the Commission due to a qualifying illness or
7 debilitating condition.

8 (2) Meets the cumulative grade point average
9 requirements of the postsecondary institution.

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

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

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

26 (c) A grant recipient ~~qualified applicant~~ is not required

1 to pay any tuition or mandatory fees while attending a
2 State-controlled university or public community college in
3 this State for a period that is based on the length of the
4 qualified applicant's federal active duty service, as verified
5 on his or her U.S. Department of Defense form DD-214,
6 calculated as follows:

7 (1) 72 credit hours (or 60% of the maximum payable
8 benefit) for 12 or more months but less than 18 months of
9 active duty service;

10 (2) 84 credit hours (or 70% of the maximum payable
11 benefit) for 18 or more months but less than 24 months of
12 active duty service;

13 (3) 96 credit hours (or 80% of the maximum payable
14 benefit) for 24 or more months but less than 30 months of
15 service;

16 (4) 108 credit hours (or 90% of the maximum payable
17 benefit) for 30 or more months but less than 36 months of
18 service; or

19 (5) 120 credit hours (or 100% of the maximum payable
20 benefit) for 36 or more months of service ~~equivalent to 4~~
21 ~~years of full-time enrollment, including summer terms.~~

22 A qualified applicant who has previously received benefits
23 under this Section for a non-mandatory fee shall continue to
24 receive benefits covering such fees while he or she is
25 enrolled in a continuous program of study. The qualified
26 applicant shall no longer receive a grant covering

1 non-mandatory fees if he or she fails to enroll during an
2 academic term, unless he or she is serving federal active duty
3 service.

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

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

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

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

1 the Department of Veterans' Affairs shall assist the
2 Commission in determining the eligibility of applicants for
3 assistance under this Section.

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

13 (i) Beginning with the 2025-2026 academic year, a grant
14 awarded under this Section may be transferred to a qualified
15 dependent if the qualified dependent's spouse or parent meets
16 all of the following qualifications:

17 (1) He or she is a qualified applicant under
18 subsection (a) or (b).

19 (2) He or she has served at least 6 years of federal
20 active duty service and at least 2 years of Reserve or
21 Individual Ready Reserve service.

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

1 Section.

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

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

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

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

16 (Source: P.A. 101-334, eff. 8-9-19; 102-800, eff. 5-13-22.)

17 Section 99. Effective date. This Act takes effect July 1,
18 2024.