



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4712

Introduced 1/12/2006, by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

105 ILCS 5/30-9	from Ch. 122, par. 30-9
105 ILCS 5/30-10	from Ch. 122, par. 30-10
105 ILCS 5/30-11	from Ch. 122, par. 30-11
105 ILCS 5/30-12.5	
105 ILCS 5/30-13	from Ch. 122, par. 30-13
105 ILCS 5/30-14	from Ch. 122, par. 30-14
30 ILCS 805/8.30 new	

Amends the School Code. Provides that a General Assembly scholarship may be used at a public community college, not just a State university. Amends the State Mandates Act to require implementation without reimbursement. Effective July 1, 2006.

LRB094 16817 NHT 52093 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Sections
5 30-9, 30-10, 30-11, 30-12.5, 30-13, and 30-14 as follows:

6 (105 ILCS 5/30-9) (from Ch. 122, par. 30-9)

7 Sec. 30-9. General Assembly scholarship; conditions of
8 admission; award by competitive examination.

9 Each member of the General Assembly may nominate annually 2
10 persons of school age and otherwise eligible, from his
11 district; each shall receive a certificate of scholarship in
12 any State supported university or public community college in
13 this State designated by the member. Any member of the General
14 Assembly in making nominations under this Section may designate
15 that his nominee be granted a 4 year scholarship or may instead
16 designate 2 or 4 nominees for that particular scholarship, each
17 to receive a 2 year or a one year scholarship, respectively.
18 The nominee, if a graduate of a school accredited by the
19 University or community college to which nominated, shall be
20 admitted to the university or community college on the same
21 conditions as to educational qualifications as are other
22 graduates of accredited schools. If the nominee is not a
23 graduate of a school accredited by the university or community
24 college to which nominated, he must, before being entitled to
25 the benefits of the scholarship, pass an examination given by
26 the superintendent of schools of the county where he resides at
27 the time stated in Section 30-7 for the competitive
28 examination. The president of each university or community
29 college shall prescribe the rules governing the examination for
30 scholarship to his or her university or community college.

31 A member of the General Assembly may award the scholarship
32 by competitive examination conducted under like rules as

1 prescribed in Section 30-7 even though one or more of the
2 applicants are graduates of schools accredited by the
3 university or community college.

4 A member of the General Assembly may delegate to the
5 Illinois Student Assistance Commission the authority to
6 nominate persons for General Assembly scholarships which that
7 member would otherwise be entitled to award, or may direct the
8 Commission to evaluate and make recommendations to the member
9 concerning candidates for such scholarships. In the event a
10 member delegates his nominating authority or directs the
11 Commission to evaluate and make recommendations concerning
12 candidates for General Assembly scholarships, the member shall
13 inform the Commission in writing of the criteria which he
14 wishes the Commission to apply in nominating or recommending
15 candidates. Those criteria may include some or all of the
16 criteria provided in Section 25 of the Higher Education Student
17 Assistance Act. A delegation of authority under this paragraph
18 may be revoked at any time by the member.

19 Failure of a member of the General Assembly to make a
20 nomination in any year shall not cause that scholarship to
21 lapse, but the member may make a nomination for such
22 scholarship at any time thereafter before the expiration of his
23 term, and the person so nominated shall be entitled to the same
24 benefits as holders of other scholarships provided herein. Any
25 such scholarship for which a member has made no nomination
26 prior to the expiration of the term for which he was elected
27 shall lapse upon the expiration of that term.

28 (Source: P.A. 93-349, eff. 7-24-03.)

29 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

30 Sec. 30-10. Filing nominations-Failure to accept or
31 pass-Second nomination.

32 Nominations, under Section 30-9, showing the name and
33 address of the nominee, and the term of the scholarship,
34 whether 4 years, 2 years or one year, must be filed with the
35 State Superintendent of Education not later than the opening

1 day of the semester or term with which the scholarship is to
2 become effective. The State Superintendent of Education shall
3 forthwith notify the president of the university or community
4 college of such nomination.

5 If the nominee fails to accept the nomination or, not being
6 a graduate of a school accredited by the university or
7 community college, fails to pass the examination for admission,
8 the president of the university or community college shall at
9 once notify the State Superintendent of Education. Upon
10 receiving such notification, the State Superintendent of
11 Education shall notify the nominating member, who may name
12 another person for the scholarship. The second nomination must
13 be received by the State Superintendent of Education not later
14 than the middle of the semester or term with which the
15 scholarship was to have become effective under the original
16 nomination in order to become effective as of the opening date
17 of such semester or term otherwise it shall not become
18 effective until the beginning of the next semester or term
19 following the making of the second nomination. Upon receiving
20 such notification, the State Superintendent of Education shall
21 notify the president of the university or community college of
22 such second nomination. If any person nominated after the
23 effective date of this amendatory Act of 1973 to receive a
24 General Assembly scholarship changes his residence to a
25 location outside of the district from which he was nominated,
26 his nominating member may terminate that scholarship at the
27 conclusion of the college year in which he is then enrolled.
28 For purposes of this paragraph, a person changes his residence
29 if he registers to vote in a location outside of the district
30 from which he was nominated, but does not change his residence
31 merely by taking off-campus housing or living in a
32 nonuniversity residence.

33 (Source: P.A. 93-349, eff. 7-24-03.)

34 (105 ILCS 5/30-11) (from Ch. 122, par. 30-11)

35 Sec. 30-11. Failure to use scholarship - Further

1 nominations. If any nominee under Section 30-9 or 30-10
2 discontinues his course of instruction or fails to use the
3 scholarship, leaving 1, 2, 3, or 4 years thereof unused, the
4 member of the General Assembly may, except as otherwise
5 provided in this Article, nominate some other person eligible
6 under this Article from his district who shall be entitled to
7 the scholarship for the unexpired period thereof. Such
8 appointment to an unexpired scholarship vacated before July 1,
9 1961, may be made only by the member of the General Assembly
10 who made the original appointment and during the time he is
11 such a member. If a scholarship is vacated on or after July 1,
12 1961, and the member of the General Assembly who made the
13 original appointment has ceased to be a member, some eligible
14 person may be nominated in the following manner to fill the
15 vacancy: If the original appointment was made by a Senator,
16 such nomination shall be made by the Senator from the same
17 district; if the original appointment was made by a
18 Representative, such nomination shall be made by the
19 Representative from the same district. Every nomination to fill
20 a vacancy must be accompanied either by a release of the
21 original nominee or if he is dead then an affidavit to that
22 effect by some competent person. The failure of a nominee to
23 register at the university or community college within 20 days
24 after the opening of any semester or term shall be deemed a
25 release by him of the nomination, unless he has been granted a
26 leave of absence in accordance with Section 30-14 or unless his
27 absence is by reason of his entry into the military service of
28 the United States. The university or community college shall
29 immediately upon the expiration of 20 days after the beginning
30 of the semester or term notify the State Board of Education as
31 to the status of each scholarship, who shall forthwith notify
32 the nominating member of any nominee's failure to register or,
33 if the nominating member has ceased to be a member of the
34 General Assembly, shall notify the member or members entitled
35 to make the nomination to fill the vacancy. All nominations to
36 unused or unexpired scholarships shall be effective as of the

1 opening of the semester or term of the university or community
2 college during which they are made if they are filed with the
3 university or community college during the first half of the
4 semester or term, otherwise they shall not be effective until
5 the opening of the next following semester or term.

6 (Source: P.A. 93-349, eff. 7-24-03.)

7 (105 ILCS 5/30-12.5)

8 Sec. 30-12.5. Waiver of confidentiality.

9 (a) As a condition of nomination for a General Assembly
10 scholarship under Section 30-9, 30-10, or 30-11, each nominee
11 shall provide to the member of the General Assembly making the
12 nomination a waiver document stating that, notwithstanding any
13 provision of law to the contrary, if the nominee receives a
14 General Assembly scholarship, then the nominee waives all
15 rights to confidentiality with respect to the contents of the
16 waiver document. The waiver document shall state at a minimum
17 the nominee's name, domicile address, attending university or
18 community college, degree program in which the nominee is
19 enrolled, amount of tuition waived by the legislative
20 scholarship and the name of the member of the General Assembly
21 who is making the nomination. The waiver document shall also
22 contain a statement by the nominee that, at the time of the
23 nomination for the legislative scholarship, the domicile of the
24 nominee is within the legislative district of the legislator
25 making the scholarship nomination. The waiver document must be
26 signed by the nominee, and the nominee shall have his or her
27 signature on the waiver document acknowledged before a notary
28 public. The member of the General Assembly making the
29 nomination shall file the signed, notarized waiver document,
30 together with the nomination itself, with the State
31 Superintendent of Education. By so filing the waiver document,
32 the member waives all his or her rights to confidentiality with
33 respect to the contents of the waiver document.

34 (b) The legislative scholarship of any nominee shall be
35 revoked upon a determination by the State Board of Education

1 after a hearing that the nominee knowingly provided false or
2 misleading information on the waiver document. Upon revocation
3 of the legislative scholarship, the scholarship nominee shall
4 reimburse the university or community college for the full
5 amount of any tuition waived prior to revocation of the
6 scholarship.

7 (c) The Illinois Student Assistance Commission shall
8 prepare a form waiver document to be used as provided in
9 subsection (a) and shall provide copies of the form upon
10 request.

11 (Source: P.A. 93-349, eff. 7-24-03.)

12 (105 ILCS 5/30-13) (from Ch. 122, par. 30-13)

13 Sec. 30-13. The scholarships issued under Sections 30-9
14 through 30-12 of this Article may be used at the University of
15 Illinois, Southern Illinois University, Chicago State
16 University, Eastern Illinois University, Governors State
17 University, Illinois State University, Northeastern Illinois
18 University, Northern Illinois University, ~~and~~ Western Illinois
19 University, or any public community college located in this
20 State, as provided in those sections. Unless otherwise
21 indicated, these scholarships shall be good for a period of not
22 more than 4 years while enrolled for residence credit and shall
23 exempt the holder from the payment of tuition, or any
24 matriculation, graduation, activity, term or incidental fee,
25 except any portion of a multipurpose fee which is used for a
26 purpose for which exemption is not granted under this Section.
27 Exemption shall not be granted from any other fees, including
28 book rental, service, laboratory, supply, union building,
29 hospital and medical insurance fees and any fees established
30 for the operation and maintenance of buildings, the income of
31 which is pledged to the payment of interest and principal on
32 bonds issued by the governing board of any university or
33 community college.

34 Any student who has been or shall be awarded a scholarship
35 shall be reimbursed by the appropriate university or community

1 college for any fees which he has paid and for which exemption
2 is granted under this Section, if application for such
3 reimbursement is made within 2 months following the school term
4 for which the fees were paid.

5 The holder of a scholarship shall be subject to all
6 examinations, rules and requirements of the university or
7 community college in which he is enrolled except as herein
8 directed.

9 This article does not prohibit the Board of Trustees of the
10 University of Illinois, the Board of Trustees of Southern
11 Illinois University, the Board of Trustees of Chicago State
12 University, the Board of Trustees of Eastern Illinois
13 University, the Board of Trustees of Governors State
14 University, the Board of Trustees of Illinois State University,
15 the Board of Trustees of Northern Illinois University, the
16 Board of Trustees of Western Illinois University, and the board
17 of trustees of a community college district ~~the Board of~~
18 ~~Regents of the Regency Universities System and the Board of~~
19 ~~Governors of State Colleges and Universities~~ for the
20 institutions under their respective jurisdictions from
21 granting other scholarships.

22 (Source: P.A. 88-228; 89-4, eff. 1-1-96.)

23 (105 ILCS 5/30-14) (from Ch. 122, par. 30-14)

24 Sec. 30-14. Leaves of absence to holders of scholarships.

25 Any student enrolled in a university or community college
26 to which he is holding a scholarship issued under this Article
27 who satisfies the president of the university or community
28 college or someone designated by him or her, that he or she
29 requires leave of absence for the purpose of earning funds to
30 defray his or her expenses while in attendance or on account of
31 illness or military service may be granted such leave and
32 allowed a period of not to exceed 6 years in which to complete
33 his course at the university or community college. The
34 university or community college shall notify the county
35 superintendent of the county from which the scholarship was

1 issued of the granting of the leave. Time spent in the armed
2 forces shall not be part of the 6 years.

3 (Source: Laws 1961, p. 31.)

4 Section 90. The State Mandates Act is amended by adding
5 Section 8.30 as follows:

6 (30 ILCS 805/8.30 new)

7 Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8
8 of this Act, no reimbursement by the State is required for the
9 implementation of any mandate created by this amendatory Act of
10 the 94th General Assembly.

11 Section 99. Effective date. This Act takes effect July 1,
12 2006.