



## 97TH GENERAL ASSEMBLY

### State of Illinois

#### 2011 and 2012

#### HB3078

Introduced 2/23/2011, by Rep. David Harris

#### 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	from Ch. 122, par. 30-12
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

Amends the School Code. Makes changes in provisions concerning General Assembly scholarships. Changes references from "scholarship" to "tuition grant". Allows each member of the General Assembly to nominate annually one person (instead of 2 persons) from his or her district to receive a tuition grant for a State university. Provides that General Assembly tuition grants are subject to appropriation (now, General Assembly scholarships exempt the holder from the payment of tuition and fees). Provides that each fiscal year, grant funds may be awarded to recipients only if this State is no more than 60 days late in payments it owes to State universities and those total payments do not exceed \$50 million, as certified by the Auditor General. Provides that tuition grant funds shall be paid to State universities on behalf of the recipients. Effective immediately.

LRB097 09506 NHT 49643 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 Sections  
5 30-9, 30-10, 30-11, 30-12, 30-12.5, 30-13, and 30-14 as  
6 follows:

7 (105 ILCS 5/30-9) (from Ch. 122, par. 30-9)

8 Sec. 30-9. General Assembly tuition grant ~~scholarship~~;  
9 conditions of admission; award by competitive  
10 examination. Each member of the General Assembly may  
11 nominate annually one person ~~2 persons~~ of school age and  
12 otherwise eligible, from his district; each shall receive a  
13 tuition grant for ~~certificate of scholarship in~~ any State  
14 supported university designated by the member. General  
15 Assembly tuition grants are subject to appropriation. Each  
16 fiscal year, grant funds may be awarded to recipients only if  
17 this State is no more than 60 days late in payments it owes to  
18 State-supported universities and those total payments do not  
19 exceed \$50 million, as certified by the Auditor General. All  
20 tuition grant funds distributed in accordance with this Section  
21 shall be paid to State-supported universities on behalf of the  
22 recipients. Any member of the General Assembly in making  
23 nominations under this Section may designate that his nominee

1 be granted a 4 year tuition grant ~~scholarship~~ or may instead  
2 designate 2 or 4 nominees for that particular tuition grant  
3 ~~scholarship~~, each to receive a 2 year or a one year tuition  
4 grant ~~scholarship~~, respectively. The nominee, if a graduate of  
5 a school accredited by the University to which nominated, shall  
6 be admitted to the university on the same conditions as to  
7 educational qualifications as are other graduates of  
8 accredited schools. If the nominee is not a graduate of a  
9 school accredited by the university to which nominated, he  
10 must, before being entitled to the benefits of the tuition  
11 grant ~~scholarship~~, pass an examination given by the  
12 superintendent of schools of the county where he resides at the  
13 time stated in Section 30-7 for the competitive examination.  
14 The president of each university shall prescribe the rules  
15 governing the examination for a tuition grant ~~scholarship~~ to  
16 his university.

17 A member of the General Assembly may award the tuition  
18 grant ~~scholarship~~ by competitive examination conducted under  
19 like rules as prescribed in Section 30-7 even though one or  
20 more of the applicants are graduates of schools accredited by  
21 the university.

22 A member of the General Assembly may delegate to the  
23 Illinois Student Assistance Commission the authority to  
24 nominate persons for General Assembly tuition grants  
25 ~~scholarships~~ which that member would otherwise be entitled to  
26 award, or may direct the Commission to evaluate and make

1 recommendations to the member concerning candidates for such  
2 tuition grants ~~scholarships~~. In the event a member delegates  
3 his nominating authority or directs the Commission to evaluate  
4 and make recommendations concerning candidates for General  
5 Assembly tuition grants ~~scholarships~~, the member shall inform  
6 the Commission in writing of the criteria which he wishes the  
7 Commission to apply in nominating or recommending candidates.  
8 Those criteria may include some or all of the criteria provided  
9 in Section 25 of the Higher Education Student Assistance Act. A  
10 delegation of authority under this paragraph may be revoked at  
11 any time by the member.

12 Failure of a member of the General Assembly to make a  
13 nomination in any year shall not cause that tuition grant  
14 ~~scholarship~~ to lapse, but the member may make a nomination for  
15 such tuition grant ~~scholarship~~ at any time thereafter before  
16 the expiration of his term, and the person so nominated shall  
17 be entitled to the same benefits as holders of other tuition  
18 grants ~~scholarships~~ provided herein. Any such tuition grant  
19 ~~scholarship~~ for which a member has made no nomination prior to  
20 the expiration of the term for which he was elected shall lapse  
21 upon the expiration of that term.

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

23 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

24 Sec. 30-10. Filing nominations-Failure to accept or  
25 pass-Second nomination. Nominations, under Section 30-9,

1 showing the name and address of the nominee, and the term of  
2 the tuition grant ~~scholarship~~, whether 4 years, 2 years or one  
3 year, must be filed with the State Superintendent of Education  
4 not later than the opening day of the semester or term with  
5 which the tuition grant ~~scholarship~~ is to become effective. The  
6 State Superintendent of Education shall forthwith notify the  
7 president of the university of such nomination.

8 If the nominee fails to accept the nomination or, not being  
9 a graduate of a school accredited by the university, fails to  
10 pass the examination for admission, the president of the  
11 university shall at once notify the State Superintendent of  
12 Education. Upon receiving such notification, the State  
13 Superintendent of Education shall notify the nominating  
14 member, who may name another person for the tuition grant  
15 ~~scholarship~~. The second nomination must be received by the  
16 State Superintendent of Education not later than the middle of  
17 the semester or term with which the tuition grant ~~scholarship~~  
18 was to have become effective under the original nomination in  
19 order to become effective as of the opening date of such  
20 semester or term otherwise it shall not become effective until  
21 the beginning of the next semester or term following the making  
22 of the second nomination. Upon receiving such notification, the  
23 State Superintendent of Education shall notify the president of  
24 the university of such second nomination. If any person  
25 nominated ~~after the effective date of this amendatory Act of~~  
26 ~~1973~~ to receive a General Assembly tuition grant ~~scholarship~~

1 changes his residence to a location outside of the district  
2 from which he was nominated, his nominating member may  
3 terminate that tuition grant ~~scholarship~~ at the conclusion of  
4 the college year in which he is then enrolled. For purposes of  
5 this paragraph, a person changes his residence if he registers  
6 to vote in a location outside of the district from which he was  
7 nominated, but does not change his residence merely by taking  
8 off-campus housing or living in a nonuniversity residence.

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

10 (105 ILCS 5/30-11) (from Ch. 122, par. 30-11)

11 Sec. 30-11. Failure to use tuition grant ~~scholarship~~ -  
12 Further nominations. If any nominee under Section 30-9 or 30-10  
13 discontinues his course of instruction or fails to use the  
14 tuition grant ~~scholarship~~, leaving 1, 2, 3, or 4 years thereof  
15 unused, the member of the General Assembly may, except as  
16 otherwise provided in this Article, nominate some other person  
17 eligible under this Article from his district who shall be  
18 entitled to the tuition grant ~~scholarship~~ for the unexpired  
19 period thereof. ~~Such appointment to an unexpired scholarship~~  
20 ~~vacated before July 1, 1961, may be made only by the member of~~  
21 ~~the General Assembly who made the original appointment and~~  
22 ~~during the time he is such a member.~~ If a tuition grant  
23 ~~scholarship~~ is vacated ~~on or after July 1, 1961,~~ and the member  
24 of the General Assembly who made the original appointment has  
25 ceased to be a member, some eligible person may be nominated in

1 the following manner to fill the vacancy: If the original  
2 appointment was made by a Senator, such nomination shall be  
3 made by the Senator from the same district; if the original  
4 appointment was made by a Representative, such nomination shall  
5 be made by the Representative from the same district. Every  
6 nomination to fill a vacancy must be accompanied either by a  
7 release of the original nominee or if he is dead then an  
8 affidavit to that effect by some competent person. The failure  
9 of a nominee to register at the university within 20 days after  
10 the opening of any semester or term shall be deemed a release  
11 by him of the nomination, unless he has been granted a leave of  
12 absence in accordance with Section 30-14 or unless his absence  
13 is by reason of his entry into the military service of the  
14 United States. The university shall immediately upon the  
15 expiration of 20 days after the beginning of the semester or  
16 term notify the State Board of Education as to the status of  
17 each tuition grant ~~scholarship~~, who shall forthwith notify the  
18 nominating member of any nominee's failure to register or, if  
19 the nominating member has ceased to be a member of the General  
20 Assembly, shall notify the member or members entitled to make  
21 the nomination to fill the vacancy. All nominations to unused  
22 or unexpired tuition grants ~~scholarships~~ shall be effective as  
23 of the opening of the semester or term of the university during  
24 which they are made if they are filed with the university  
25 during the first half of the semester or term, otherwise they  
26 shall not be effective until the opening of the next following

1 semester or term.

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

3 (105 ILCS 5/30-12) (from Ch. 122, par. 30-12)

4 Sec. 30-12. Failure to begin or discontinuance of course  
5 because of military service. Any nominee, under Sections 30--9,  
6 30--10, or 30--11, who fails to begin or discontinues his  
7 course of instruction because of his entry into the military  
8 service of the United States, leaving all or a portion of the  
9 tuition grant ~~scholarship~~ unused, may, upon completion of such  
10 service, use the tuition grant ~~scholarship~~ or the unused  
11 portion thereof, regardless of whether or not the member of the  
12 General Assembly who nominated him is then a member; provided  
13 that during the nominee's period of military service no other  
14 person may be nominated by such member to all or any portion of  
15 such unused or unfinished tuition grant ~~scholarship~~ unless the  
16 nomination is accompanied either by a release of the original  
17 nominee or if he is dead then an affidavit to that effect by  
18 some competent person.

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

20 (105 ILCS 5/30-12.5)

21 Sec. 30-12.5. Waiver of confidentiality.

22 (a) As a condition of nomination for a General Assembly  
23 tuition grant ~~scholarship~~ under Section 30-9, 30-10, or 30-11,  
24 each nominee shall provide to the member of the General



1 Assembly making the nomination a waiver document stating that,  
2 notwithstanding any provision of law to the contrary, if the  
3 nominee receives a General Assembly tuition grant ~~scholarship~~,  
4 then the nominee waives all rights to confidentiality with  
5 respect to the contents of the waiver document. The waiver  
6 document shall state at a minimum the nominee's name, domicile  
7 address, attending university, degree program in which the  
8 nominee is enrolled, amount of tuition covered ~~waived~~ by the  
9 legislative tuition grant ~~scholarship~~ and the name of the  
10 member of the General Assembly who is making the nomination.  
11 The waiver document shall also contain a statement by the  
12 nominee that, at the time of the nomination for the legislative  
13 tuition grant ~~scholarship~~, the domicile of the nominee is  
14 within the legislative district of the legislator making the  
15 tuition grant ~~scholarship~~ nomination. The waiver document must  
16 be signed by the nominee, and the nominee shall have his or her  
17 signature on the waiver document acknowledged before a notary  
18 public. The member of the General Assembly making the  
19 nomination shall file the signed, notarized waiver document,  
20 together with the nomination itself, with the State  
21 Superintendent of Education. By so filing the waiver document,  
22 the member waives all his or her rights to confidentiality with  
23 respect to the contents of the waiver document.

24 (b) The legislative tuition grant ~~scholarship~~ of any  
25 nominee shall be revoked upon a determination by the State  
26 Board of Education after a hearing that the nominee knowingly

1 provided false or misleading information on the waiver  
2 document. Upon revocation of the legislative tuition grant  
3 ~~scholarship~~, the tuition grant ~~scholarship~~ nominee shall  
4 reimburse this State ~~the university~~ for the full amount of any  
5 tuition covered by the tuition grant ~~waived~~ prior to revocation  
6 of the tuition grant ~~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 tuition grants ~~scholarships~~ issued under  
14 Sections 30-9 through 30-12 of this Article may be used at the  
15 University of Illinois, Southern Illinois University, Chicago  
16 State University, Eastern Illinois University, Governors State  
17 University, Illinois State University, Northeastern Illinois  
18 University, Northern Illinois University, and Western Illinois  
19 University as provided in those sections. Unless otherwise  
20 indicated, these tuition grants ~~scholarships~~ shall be good for  
21 a period of not more than 4 years while enrolled for residence  
22 credit and shall cover ~~exempt the holder from~~ the payment of  
23 tuition, or any matriculation, graduation, activity, term or  
24 incidental fee, except any portion of a multipurpose fee which  
25 is used for a purpose for which coverage ~~exemption~~ is not

1 ~~permitted granted~~ under this Section. Coverage Exemption shall  
2 not be permitted for granted from any other fees, including  
3 book rental, service, laboratory, supply, union building,  
4 hospital and medical insurance fees and any fees established  
5 for the operation and maintenance of buildings, the income of  
6 which is pledged to the payment of interest and principal on  
7 bonds issued by the governing board of any university or  
8 community college.

9 Any student who has been or shall be awarded a tuition  
10 grant scholarship shall be reimbursed by the appropriate  
11 university or community college for any fees which he has paid  
12 and for which coverage exemption is permitted granted under  
13 this Section, if application for such reimbursement is made  
14 within 2 months following the school term for which the fees  
15 were paid.

16 The holder of a tuition grant scholarship shall be subject  
17 to all examinations, rules and requirements of the university  
18 or community college in which he is enrolled except as herein  
19 directed.

20 This article does not prohibit the Board of Trustees of the  
21 University of Illinois, the Board of Trustees of Southern  
22 Illinois University, the Board of Trustees of Chicago State  
23 University, the Board of Trustees of Eastern Illinois  
24 University, the Board of Trustees of Governors State  
25 University, the Board of Trustees of Illinois State University,  
26 the Board of Trustees of Northeastern Illinois University, the

1 Board of Trustees of Northern Illinois University, and the  
2 Board of Trustees of Western Illinois University ~~Regents of the~~  
3 ~~Regency Universities System and the Board of Governors of State~~  
4 ~~Colleges and Universities~~ for the institutions under their  
5 respective jurisdictions from granting other scholarships or  
6 grants.

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

8 (105 ILCS 5/30-14) (from Ch. 122, par. 30-14)

9 Sec. 30-14. Leaves of absence to holders of scholarships or  
10 tuition grants. Any student enrolled in a university to which  
11 he is holding a scholarship or tuition grant issued under this  
12 Article who satisfies the president of the university or  
13 someone designated by him, that he requires leave of absence  
14 for the purpose of earning funds to defray his expenses while  
15 in attendance or on account of illness or military service may  
16 be granted such leave and allowed a period of not to exceed 6  
17 years in which to complete his course at the university. The  
18 university shall notify the regional ~~county~~ superintendent of  
19 the county from which the scholarship or tuition grant was  
20 issued of the granting of the leave. Time spent in the armed  
21 forces shall not be part of the 6 years.

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

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.