



## 97TH GENERAL ASSEMBLY

### State of Illinois

### 2011 and 2012

#### HB5295

Introduced 2/8/2012, by Rep. Chris Nybo

#### 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

Amends the School Code. Provides that after June 1, 2012 persons may not be nominated for General Assembly scholarships and that General Assembly scholarships may not be awarded after that date unless the nomination is made prior to that date. Prevents both second nominations for any lapsed General Assembly scholarship and nominating persons to the unused or unexpired parts of any vacated General Assembly scholarship after June 1, 2012. Effective immediately.

LRB097 18693 NHT 63927 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, and 30-12 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 (a) The provisions of this subsection (a) are subject to  
10 subsection (b). Each member of the General Assembly may  
11 nominate annually 2 persons of school age and otherwise  
12 eligible, from his district; each shall receive a certificate  
13 of scholarship in any State supported university designated by  
14 the member. Any member of the General Assembly in making  
15 nominations under this Section may designate that his nominee  
16 be granted a 4 year scholarship or may instead designate 2 or 4  
17 nominees for that particular scholarship, each to receive a 2  
18 year or a one year scholarship, respectively. The nominee, if a  
19 graduate of a school accredited by the University to which  
20 nominated, shall be admitted to the university 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 to which

1 nominated, he must, before being entitled to the benefits of  
2 the scholarship, pass an examination given by the  
3 superintendent of schools of the county where he resides at the  
4 time stated in Section 30-7 for the competitive examination.  
5 The president of each university shall prescribe the rules  
6 governing the examination for scholarship to his university.

7 A member of the General Assembly may award the scholarship  
8 by competitive examination conducted under like rules as  
9 prescribed in Section 30-7 even though one or more of the  
10 applicants are graduates of schools accredited by the  
11 university.

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

1 Failure of a member of the General Assembly to make a  
2 nomination in any year shall not cause that scholarship to  
3 lapse, but the member may make a nomination for such  
4 scholarship at any time thereafter through June 1, 2012; before  
5 ~~the expiration of his term,~~ and the person so nominated shall  
6 be entitled to the same benefits as holders of other  
7 scholarships provided herein. Any such scholarship for which a  
8 member has made no nomination on or before June 1, 2012 ~~prior~~  
9 ~~to the expiration of the term for which he was elected~~ shall  
10 lapse upon the expiration of that term.

11 (b) After June 1, 2012 no person may be nominated to  
12 receive any one-year, 2-year, 4-year, or other scholarship or  
13 certificate of scholarship under this Section, nor may any such  
14 scholarship be awarded under this Section after June 1, 2012  
15 unless the person was nominated prior to that date to receive  
16 that scholarship.

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

18 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

19 Sec. 30-10. Filing nominations-Failure to accept or  
20 pass-Second nomination. Nominations that are made, under  
21 Section 30-9 on or before June 1, 2012 and that show, ~~showing~~  
22 the name and address of the nominee, and the term of the  
23 scholarship, whether 4 years, 2 years or one year, must be  
24 filed with the State Superintendent of Education not later than  
25 the opening day of the semester or term with which the

1 scholarship is to become effective. The State Superintendent of  
2 Education shall forthwith notify the president of the  
3 university of such nomination. No valid nomination to any  
4 scholarship may be made under Section 30-9 after June 1, 2012.

5 If the nominee fails to accept the nomination or, not being  
6 a graduate of a school accredited by the university, fails to  
7 pass the examination for admission, the president of the  
8 university shall at once notify the State Superintendent of  
9 Education. Upon receiving such notification, the State  
10 Superintendent of Education shall notify the nominating  
11 member, who may, on or before, but not after June 1, 2012, 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; provided that  
20 the second nomination must be made, if at all, on or before  
21 June 1, 2012 or the scholarship shall be deemed to have lapsed  
22 by operation of law. Upon receiving such notification of a  
23 second nomination on or before June 1, 2012, the State  
24 Superintendent of Education shall notify the president of the  
25 university of such second nomination. If any person nominated  
26 after the effective date of this amendatory Act of 1973 to

1 receive a General Assembly scholarship changes his residence to  
2 a location outside of the district from which he was nominated,  
3 his nominating member may terminate that scholarship at the  
4 conclusion of the college year in which he is then enrolled,  
5 but after June 1, 2012 no person may be nominated to receive or  
6 otherwise be awarded all or any part of the scholarship that is  
7 unused or unexpired at the time the scholarship is so  
8 terminated. For purposes of this paragraph, a person changes  
9 his residence if he registers to vote in a location outside of  
10 the district from which he was nominated, but does not change  
11 his residence merely by taking off-campus housing or living in  
12 a nonuniversity residence.

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

14 (105 ILCS 5/30-11) (from Ch. 122, par. 30-11)

15 Sec. 30-11. Failure to use scholarship - Further  
16 nominations. If any nominee under Section 30-9 or 30-10  
17 discontinues his course of instruction or fails to use the  
18 scholarship, leaving 1, 2, 3, or 4 years thereof unused, the  
19 member of the General Assembly may, except as otherwise  
20 provided in this Article, nominate some other person eligible  
21 under this Article from his district who shall be entitled to  
22 the scholarship for the unexpired period thereof; provided that  
23 the nomination for the unexpired period of the scholarship must  
24 be made, if at all, on or before June 1, 2012 or such  
25 nomination shall be invalid, and the scholarship and its

1 unexpired period shall be deemed to have lapsed by operation of  
2 law. ~~Such appointment to an unexpired scholarship vacated~~  
3 ~~before July 1, 1961, may be made only by the member of the~~  
4 ~~General Assembly who made the original appointment and during~~  
5 ~~the time he is such a member.~~ If a scholarship is vacated on or  
6 after July 1, 1961, and the member of the General Assembly who  
7 made the original appointment has ceased to be a member, some  
8 eligible person may be nominated in the following manner to  
9 fill the vacancy: If the original appointment was made by a  
10 Senator, such nomination shall be made by the Senator from the  
11 same district; if the original appointment was made by a  
12 Representative, such nomination shall be made by the  
13 Representative from the same district. Every nomination to fill  
14 a vacancy must be made on or before June 1, 2012 and  
15 accompanied either by a release of the original nominee or if  
16 he is dead then an affidavit to that effect by some competent  
17 person. The failure of a nominee to register at the university  
18 within 20 days after the opening of any semester or term shall  
19 be deemed a release by him of the nomination, unless he has  
20 been granted a leave of absence in accordance with Section  
21 30-14 or unless his absence is by reason of his entry into the  
22 military service of the United States. The university shall  
23 immediately upon the expiration of 20 days after the beginning  
24 of the semester or term notify the State Board of Education as  
25 to the status of each scholarship, who shall forthwith notify  
26 the nominating member of any nominee's failure to register or,

1 if the nominating member has ceased to be a member of the  
2 General Assembly, shall notify the member or members entitled  
3 to make the nomination to fill the vacancy. All nominations to  
4 unused or unexpired scholarships, if made on or before June 1,  
5 2012, shall be effective as of the opening of the semester or  
6 term of the university during which they are made if they are  
7 filed with the university during the first half of the semester  
8 or term, otherwise they shall not be effective until the  
9 opening of the next following semester or term; provided that  
10 no nomination to an unused or unexpired scholarship is valid if  
11 made after June 1, 2012, and an unused or unexpired scholarship  
12 shall be deemed to have lapsed by operation of law unless the  
13 nomination to that unused or unexpired scholarship is made on  
14 or before June 1, 2012.

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

16 (105 ILCS 5/30-12) (from Ch. 122, par. 30-12)

17 Sec. 30-12. Failure to begin or discontinuance of course  
18 because of military service.

19 Any nominee, under Sections 30--9, 30--10, or 30--11, who  
20 fails to begin or discontinues his course of instruction  
21 because of his entry into the military service of the United  
22 States, leaving all or a portion of the scholarship unused,  
23 may, upon completion of such service, use the scholarship or  
24 the unused portion thereof, regardless of whether or not the  
25 member of the General Assembly who nominated him is then a



1 member; provided that during the nominee's period of military  
2 service no other person may be nominated by such member to all  
3 or any portion of such unused or unfinished scholarship unless  
4 the nomination is accompanied either by a release of the  
5 original nominee or if he is dead then an affidavit to that  
6 effect by some competent person and unless the nomination is  
7 made on or before June 1, 2012.

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

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.