

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 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 members
12 of the Reserve Officers' Training Corps and those whose only
13 service has been attendance at a service academy, and who meets
14 all of the following qualifications:

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

17 (A) An Illinois resident.

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

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

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

23 (A) He or she served at least one year of federal

1 active duty.

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

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

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

11 (3) The person received an honorable discharge after
12 leaving each period of federal active duty service.

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

19 "Time of hostilities" means any action by the Armed Forces
20 of the United States that is recognized by the issuance of a
21 Presidential proclamation or a Presidential executive order
22 and in which the Armed Forces expeditionary medal or other
23 campaign service medals are awarded according to Presidential
24 executive order.

25 (b) A person who otherwise qualifies under subsection (a)
26 of this Section but has not left federal active duty service

1 and has served at least one year of federal active duty or has
2 served for less than one year of federal active duty in a
3 foreign country during a time of hostilities in that foreign
4 country and who can provide documentation demonstrating an
5 honorable service record is eligible to receive assistance
6 under this Section.

7 (c) A qualified applicant is not required to pay any
8 tuition or mandatory fees while attending a State-controlled
9 university or public community college in this State for a
10 period that is equivalent to 4 years of full-time enrollment,
11 including summer terms.

12 A qualified applicant who has previously received benefits
13 under this Section for a non-mandatory fee shall continue to
14 receive benefits covering such fees while he or she is enrolled
15 in a continuous program of study. The qualified applicant shall
16 no longer receive a grant covering non-mandatory fees if he or
17 she fails to enroll during an academic term, unless he or she
18 is serving federal active duty service.

19 (d) A qualified applicant who has been or is to be awarded
20 assistance under this Section shall receive that assistance if
21 the qualified applicant notifies his or her postsecondary
22 institution of that fact by the end of the school term for
23 which assistance is requested.

24 (e) Assistance under this Section is considered an
25 entitlement that the State-controlled college or public
26 community college in which the qualified applicant is enrolled

1 shall honor without any condition other than the qualified
2 applicant's maintenance of minimum grade levels and a
3 satisfactory student loan repayment record pursuant to
4 subsection (c) of Section 20 of this Act.

5 (f) The Commission shall administer the grant program
6 established by this Section and shall make all necessary and
7 proper rules not inconsistent with this Section for its
8 effective implementation.

9 (g) All applications for assistance under this Section must
10 be made to the Commission on forms that the Commission shall
11 provide. The Commission shall determine the form of application
12 and the information required to be set forth in the
13 application, and the Commission shall require qualified
14 applicants to submit with their applications any supporting
15 documents that the Commission deems necessary. Upon request,
16 the Department of Veterans' Affairs shall assist the Commission
17 in determining the eligibility of applicants for assistance
18 under this Section.

19 (h) Assistance under this Section is available as long as
20 the federal government provides educational benefits to
21 veterans. Assistance must not be paid under this Section after
22 6 months following the termination of educational benefits to
23 veterans by the federal government, except for persons who
24 already have begun their education with assistance under this
25 Section. If the federal government terminates educational
26 benefits to veterans and at a later time resumes those

1 benefits, assistance under this Section shall resume.

2 (Source: P.A. 94-583, eff. 8-15-05.)