



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2167

Introduced 2/15/2013, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

110 ILCS 305/7e-5
110 ILCS 520/8d-5
110 ILCS 660/5-88
110 ILCS 665/10-88
110 ILCS 670/15-88
110 ILCS 675/20-88
110 ILCS 680/25-88
110 ILCS 685/30-88
110 ILCS 690/35-88
110 ILCS 805/6-4
110 ILCS 805/6-4a

from Ch. 122, par. 106-4

Amends various Acts relating to the governance of public universities in Illinois to provide that beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the corresponding Board of Trustees shall deem that person an Illinois resident for tuition purposes. Amends the Public Community College Act to provide that beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the board of trustees of the community college district shall deem that person an in-district resident and Illinois resident for tuition purposes. Effective immediately.

LRB098 09297 RPM 39437 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 University of Illinois Act is amended by
5 changing Section 7e-5 as follows:

6 (110 ILCS 305/7e-5)

7 Sec. 7e-5. In-state tuition charge.

8 (a) Notwithstanding any other provision of law to the
9 contrary, for tuition purposes, the Board of Trustees shall
10 deem an individual an Illinois resident, until the individual
11 establishes a residence outside of this State, if all of the
12 following conditions are met:

13 (1) The individual resided with his or her parent or
14 guardian while attending a public or private high school in
15 this State.

16 (2) The individual graduated from a public or private
17 high school or received the equivalent of a high school
18 diploma in this State.

19 (3) The individual attended school in this State for at
20 least 3 years as of the date the individual graduated from
21 high school or received the equivalent of a high school
22 diploma.

23 (4) The individual registers as an entering student in

1 the University not earlier than the 2003 fall semester.

2 (5) In the case of an individual who is not a citizen
3 or a permanent resident of the United States, the
4 individual provides the University with an affidavit
5 stating that the individual will file an application to
6 become a permanent resident of the United States at the
7 earliest opportunity the individual is eligible to do so.

8 This subsection (a) applies only to tuition for a term or
9 semester that begins on or after May 20, 2003 (the effective
10 date of Public Act 93-7). Any revenue lost by the University in
11 implementing this subsection (a) shall be absorbed by the
12 University Income Fund.

13 (b) If a person is on active military duty and stationed in
14 Illinois, then the Board of Trustees shall deem that person and
15 any of his or her dependents Illinois residents for tuition
16 purposes. Beginning with the 2009-2010 academic year, if a
17 person is on active military duty and is stationed out of
18 State, but he or she was stationed in this State for at least 3
19 years immediately prior to being reassigned out of State, then
20 the Board of Trustees shall deem that person and any of his or
21 her dependents Illinois residents for tuition purposes, as long
22 as that person or his or her dependent (i) applies for
23 admission to the University within 18 months of the person on
24 active military duty being reassigned or (ii) remains
25 continuously enrolled at the University. Beginning with the
26 2013-2014 academic year, if a person is utilizing benefits

1 under the federal Post-9/11 Veterans Educational Assistance
2 Act of 2008 or any subsequent variation of that Act, then the
3 Board of Trustees shall deem that person an Illinois resident
4 for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 10. The Southern Illinois University Management
7 Act is amended by changing Section 8d-5 as follows:

8 (110 ILCS 520/8d-5)

9 Sec. 8d-5. In-state tuition charge.

10 (a) Notwithstanding any other provision of law to the
11 contrary, for tuition purposes, the Board shall deem an
12 individual an Illinois resident, until the individual
13 establishes a residence outside of this State, if all of the
14 following conditions are met:

15 (1) The individual resided with his or her parent or
16 guardian while attending a public or private high school in
17 this State.

18 (2) The individual graduated from a public or private
19 high school or received the equivalent of a high school
20 diploma in this State.

21 (3) The individual attended school in this State for at
22 least 3 years as of the date the individual graduated from
23 high school or received the equivalent of a high school
24 diploma.

1 (4) The individual registers as an entering student in
2 the University not earlier than the 2003 fall semester.

3 (5) In the case of an individual who is not a citizen
4 or a permanent resident of the United States, the
5 individual provides the University with an affidavit
6 stating that the individual will file an application to
7 become a permanent resident of the United States at the
8 earliest opportunity the individual is eligible to do so.

9 This subsection (a) applies only to tuition for a term or
10 semester that begins on or after May 20, 2003 (the effective
11 date of Public Act 93-7). Any revenue lost by the University in
12 implementing this subsection (a) shall be absorbed by the
13 University Income Fund.

14 (b) If a person is on active military duty and stationed in
15 Illinois, then the Board shall deem that person and any of his
16 or her dependents Illinois residents for tuition purposes.
17 Beginning with the 2009-2010 academic year, if a person is on
18 active military duty and is stationed out of State, but he or
19 she was stationed in this State for at least 3 years
20 immediately prior to being reassigned out of State, then the
21 Board shall deem that person and any of his or her dependents
22 Illinois residents for tuition purposes, as long as that person
23 or his or her dependent (i) applies for admission to the
24 University within 18 months of the person on active military
25 duty being reassigned or (ii) remains continuously enrolled at
26 the University. Beginning with the 2013-2014 academic year, if

1 a person is utilizing benefits under the federal Post-9/11
2 Veterans Educational Assistance Act of 2008 or any subsequent
3 variation of that Act, then the Board shall deem that person an
4 Illinois resident for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 15. The Chicago State University Law is amended by
7 changing Section 5-88 as follows:

8 (110 ILCS 660/5-88)

9 Sec. 5-88. In-state tuition charge.

10 (a) Notwithstanding any other provision of law to the
11 contrary, for tuition purposes, the Board shall deem an
12 individual an Illinois resident, until the individual
13 establishes a residence outside of this State, if all of the
14 following conditions are met:

15 (1) The individual resided with his or her parent or
16 guardian while attending a public or private high school in
17 this State.

18 (2) The individual graduated from a public or private
19 high school or received the equivalent of a high school
20 diploma in this State.

21 (3) The individual attended school in this State for at
22 least 3 years as of the date the individual graduated from
23 high school or received the equivalent of a high school
24 diploma.

1 (4) The individual registers as an entering student in
2 the University not earlier than the 2003 fall semester.

3 (5) In the case of an individual who is not a citizen
4 or a permanent resident of the United States, the
5 individual provides the University with an affidavit
6 stating that the individual will file an application to
7 become a permanent resident of the United States at the
8 earliest opportunity the individual is eligible to do so.

9 This subsection (a) applies only to tuition for a term or
10 semester that begins on or after May 20, 2003 (the effective
11 date of Public Act 93-7). Any revenue lost by the University in
12 implementing this subsection (a) shall be absorbed by the
13 University Income Fund.

14 (b) If a person is on active military duty and stationed in
15 Illinois, then the Board shall deem that person and any of his
16 or her dependents Illinois residents for tuition purposes.
17 Beginning with the 2009-2010 academic year, if a person is on
18 active military duty and is stationed out of State, but he or
19 she was stationed in this State for at least 3 years
20 immediately prior to being reassigned out of State, then the
21 Board shall deem that person and any of his or her dependents
22 Illinois residents for tuition purposes, as long as that person
23 or his or her dependent (i) applies for admission to the
24 University within 18 months of the person on active military
25 duty being reassigned or (ii) remains continuously enrolled at
26 the University. Beginning with the 2013-2014 academic year, if

1 a person is utilizing benefits under the federal Post-9/11
2 Veterans Educational Assistance Act of 2008 or any subsequent
3 variation of that Act, then the Board shall deem that person an
4 Illinois resident for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 20. The Eastern Illinois University Law is amended
7 by changing Section 10-88 as follows:

8 (110 ILCS 665/10-88)

9 Sec. 10-88. In-state tuition charge.

10 (a) Notwithstanding any other provision of law to the
11 contrary, for tuition purposes, the Board shall deem an
12 individual an Illinois resident, until the individual
13 establishes a residence outside of this State, if all of the
14 following conditions are met:

15 (1) The individual resided with his or her parent or
16 guardian while attending a public or private high school in
17 this State.

18 (2) The individual graduated from a public or private
19 high school or received the equivalent of a high school
20 diploma in this State.

21 (3) The individual attended school in this State for at
22 least 3 years as of the date the individual graduated from
23 high school or received the equivalent of a high school
24 diploma.

1 (4) The individual registers as an entering student in
2 the University not earlier than the 2003 fall semester.

3 (5) In the case of an individual who is not a citizen
4 or a permanent resident of the United States, the
5 individual provides the University with an affidavit
6 stating that the individual will file an application to
7 become a permanent resident of the United States at the
8 earliest opportunity the individual is eligible to do so.

9 This subsection (a) applies only to tuition for a term or
10 semester that begins on or after May 20, 2003 (the effective
11 date of Public Act 93-7). Any revenue lost by the University in
12 implementing this subsection (a) shall be absorbed by the
13 University Income Fund.

14 (b) If a person is on active military duty and stationed in
15 Illinois, then the Board shall deem that person and any of his
16 or her dependents Illinois residents for tuition purposes.
17 Beginning with the 2009-2010 academic year, if a person is on
18 active military duty and is stationed out of State, but he or
19 she was stationed in this State for at least 3 years
20 immediately prior to being reassigned out of State, then the
21 Board shall deem that person and any of his or her dependents
22 Illinois residents for tuition purposes, as long as that person
23 or his or her dependent (i) applies for admission to the
24 University within 18 months of the person on active military
25 duty being reassigned or (ii) remains continuously enrolled at
26 the University. Beginning with the 2013-2014 academic year, if

1 a person is utilizing benefits under the federal Post-9/11
2 Veterans Educational Assistance Act of 2008 or any subsequent
3 variation of that Act, then the Board shall deem that person an
4 Illinois resident for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 25. The Governors State University Law is amended
7 by changing Section 15-88 as follows:

8 (110 ILCS 670/15-88)

9 Sec. 15-88. In-state tuition charge.

10 (a) Notwithstanding any other provision of law to the
11 contrary, for tuition purposes, the Board shall deem an
12 individual an Illinois resident, until the individual
13 establishes a residence outside of this State, if all of the
14 following conditions are met:

15 (1) The individual resided with his or her parent or
16 guardian while attending a public or private high school in
17 this State.

18 (2) The individual graduated from a public or private
19 high school or received the equivalent of a high school
20 diploma in this State.

21 (3) The individual attended school in this State for at
22 least 3 years as of the date the individual graduated from
23 high school or received the equivalent of a high school
24 diploma.

1 (4) The individual registers as an entering student in
2 the University not earlier than the 2003 fall semester.

3 (5) In the case of an individual who is not a citizen
4 or a permanent resident of the United States, the
5 individual provides the University with an affidavit
6 stating that the individual will file an application to
7 become a permanent resident of the United States at the
8 earliest opportunity the individual is eligible to do so.

9 This subsection (a) applies only to tuition for a term or
10 semester that begins on or after May 20, 2003 (the effective
11 date of Public Act 93-7). Any revenue lost by the University in
12 implementing this subsection (a) shall be absorbed by the
13 University Income Fund.

14 (b) If a person is on active military duty and stationed in
15 Illinois, then the Board shall deem that person and any of his
16 or her dependents Illinois residents for tuition purposes.
17 Beginning with the 2009-2010 academic year, if a person is on
18 active military duty and is stationed out of State, but he or
19 she was stationed in this State for at least 3 years
20 immediately prior to being reassigned out of State, then the
21 Board shall deem that person and any of his or her dependents
22 Illinois residents for tuition purposes, as long as that person
23 or his or her dependent (i) applies for admission to the
24 University within 18 months of the person on active military
25 duty being reassigned or (ii) remains continuously enrolled at
26 the University. Beginning with the 2013-2014 academic year, if

1 a person is utilizing benefits under the federal Post-9/11
2 Veterans Educational Assistance Act of 2008 or any subsequent
3 variation of that Act, then the Board shall deem that person an
4 Illinois resident for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 30. The Illinois State University Law is amended by
7 changing Section 20-88 as follows:

8 (110 ILCS 675/20-88)

9 Sec. 20-88. In-state tuition charge.

10 (a) Notwithstanding any other provision of law to the
11 contrary, for tuition purposes, the Board shall deem an
12 individual an Illinois resident, until the individual
13 establishes a residence outside of this State, if all of the
14 following conditions are met:

15 (1) The individual resided with his or her parent or
16 guardian while attending a public or private high school in
17 this State.

18 (2) The individual graduated from a public or private
19 high school or received the equivalent of a high school
20 diploma in this State.

21 (3) The individual attended school in this State for at
22 least 3 years as of the date the individual graduated from
23 high school or received the equivalent of a high school
24 diploma.

1 (4) The individual registers as an entering student in
2 the University not earlier than the 2003 fall semester.

3 (5) In the case of an individual who is not a citizen
4 or a permanent resident of the United States, the
5 individual provides the University with an affidavit
6 stating that the individual will file an application to
7 become a permanent resident of the United States at the
8 earliest opportunity the individual is eligible to do so.

9 This subsection (a) applies only to tuition for a term or
10 semester that begins on or after May 20, 2003 (the effective
11 date of Public Act 93-7). Any revenue lost by the University in
12 implementing this subsection (a) shall be absorbed by the
13 University Income Fund.

14 (b) If a person is on active military duty and stationed in
15 Illinois, then the Board shall deem that person and any of his
16 or her dependents Illinois residents for tuition purposes.
17 Beginning with the 2009-2010 academic year, if a person is on
18 active military duty and is stationed out of State, but he or
19 she was stationed in this State for at least 3 years
20 immediately prior to being reassigned out of State, then the
21 Board shall deem that person and any of his or her dependents
22 Illinois residents for tuition purposes, as long as that person
23 or his or her dependent (i) applies for admission to the
24 University within 18 months of the person on active military
25 duty being reassigned or (ii) remains continuously enrolled at
26 the University. Beginning with the 2013-2014 academic year, if

1 a person is utilizing benefits under the federal Post-9/11
2 Veterans Educational Assistance Act of 2008 or any subsequent
3 variation of that Act, then the Board shall deem that person an
4 Illinois resident for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 35. The Northeastern Illinois University Law is
7 amended by changing Section 25-88 as follows:

8 (110 ILCS 680/25-88)

9 Sec. 25-88. In-state tuition charge.

10 (a) Notwithstanding any other provision of law to the
11 contrary, for tuition purposes, the Board shall deem an
12 individual an Illinois resident, until the individual
13 establishes a residence outside of this State, if all of the
14 following conditions are met:

15 (1) The individual resided with his or her parent or
16 guardian while attending a public or private high school in
17 this State.

18 (2) The individual graduated from a public or private
19 high school or received the equivalent of a high school
20 diploma in this State.

21 (3) The individual attended school in this State for at
22 least 3 years as of the date the individual graduated from
23 high school or received the equivalent of a high school
24 diploma.

1 (4) The individual registers as an entering student in
2 the University not earlier than the 2003 fall semester.

3 (5) In the case of an individual who is not a citizen
4 or a permanent resident of the United States, the
5 individual provides the University with an affidavit
6 stating that the individual will file an application to
7 become a permanent resident of the United States at the
8 earliest opportunity the individual is eligible to do so.

9 This subsection (a) applies only to tuition for a term or
10 semester that begins on or after May 20, 2003 (the effective
11 date of Public Act 93-7). Any revenue lost by the University in
12 implementing this subsection (a) shall be absorbed by the
13 University Income Fund.

14 (b) If a person is on active military duty and stationed in
15 Illinois, then the Board shall deem that person and any of his
16 or her dependents Illinois residents for tuition purposes.
17 Beginning with the 2009-2010 academic year, if a person is on
18 active military duty and is stationed out of State, but he or
19 she was stationed in this State for at least 3 years
20 immediately prior to being reassigned out of State, then the
21 Board shall deem that person and any of his or her dependents
22 Illinois residents for tuition purposes, as long as that person
23 or his or her dependent (i) applies for admission to the
24 University within 18 months of the person on active military
25 duty being reassigned or (ii) remains continuously enrolled at
26 the University. Beginning with the 2013-2014 academic year, if

1 a person is utilizing benefits under the federal Post-9/11
2 Veterans Educational Assistance Act of 2008 or any subsequent
3 variation of that Act, then the Board shall deem that person an
4 Illinois resident for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 40. The Northern Illinois University Law is amended
7 by changing Section 30-88 as follows:

8 (110 ILCS 685/30-88)

9 Sec. 30-88. In-state tuition charge.

10 (a) Notwithstanding any other provision of law to the
11 contrary, for tuition purposes, the Board shall deem an
12 individual an Illinois resident, until the individual
13 establishes a residence outside of this State, if all of the
14 following conditions are met:

15 (1) The individual resided with his or her parent or
16 guardian while attending a public or private high school in
17 this State.

18 (2) The individual graduated from a public or private
19 high school or received the equivalent of a high school
20 diploma in this State.

21 (3) The individual attended school in this State for at
22 least 3 years as of the date the individual graduated from
23 high school or received the equivalent of a high school
24 diploma.

1 (4) The individual registers as an entering student in
2 the University not earlier than the 2003 fall semester.

3 (5) In the case of an individual who is not a citizen
4 or a permanent resident of the United States, the
5 individual provides the University with an affidavit
6 stating that the individual will file an application to
7 become a permanent resident of the United States at the
8 earliest opportunity the individual is eligible to do so.

9 This subsection (a) applies only to tuition for a term or
10 semester that begins on or after May 20, 2003 (the effective
11 date of Public Act 93-7). Any revenue lost by the University in
12 implementing this subsection (a) shall be absorbed by the
13 University Income Fund.

14 (b) If a person is on active military duty and stationed in
15 Illinois, then the Board shall deem that person and any of his
16 or her dependents Illinois residents for tuition purposes.
17 Beginning with the 2009-2010 academic year, if a person is on
18 active military duty and is stationed out of State, but he or
19 she was stationed in this State for at least 3 years
20 immediately prior to being reassigned out of State, then the
21 Board shall deem that person and any of his or her dependents
22 Illinois residents for tuition purposes, as long as that person
23 or his or her dependent (i) applies for admission to the
24 University within 18 months of the person on active military
25 duty being reassigned or (ii) remains continuously enrolled at
26 the University. Beginning with the 2013-2014 academic year, if

1 a person is utilizing benefits under the federal Post-9/11
2 Veterans Educational Assistance Act of 2008 or any subsequent
3 variation of that Act, then the Board shall deem that person an
4 Illinois resident for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 45. The Western Illinois University Law is amended
7 by changing Section 35-88 as follows:

8 (110 ILCS 690/35-88)

9 Sec. 35-88. In-state tuition charge.

10 (a) Notwithstanding any other provision of law to the
11 contrary, for tuition purposes, the Board shall deem an
12 individual an Illinois resident, until the individual
13 establishes a residence outside of this State, if all of the
14 following conditions are met:

15 (1) The individual resided with his or her parent or
16 guardian while attending a public or private high school in
17 this State.

18 (2) The individual graduated from a public or private
19 high school or received the equivalent of a high school
20 diploma in this State.

21 (3) The individual attended school in this State for at
22 least 3 years as of the date the individual graduated from
23 high school or received the equivalent of a high school
24 diploma.

1 (4) The individual registers as an entering student in
2 the University not earlier than the 2003 fall semester.

3 (5) In the case of an individual who is not a citizen
4 or a permanent resident of the United States, the
5 individual provides the University with an affidavit
6 stating that the individual will file an application to
7 become a permanent resident of the United States at the
8 earliest opportunity the individual is eligible to do so.

9 This subsection (a) applies only to tuition for a term or
10 semester that begins on or after May 20, 2003 (the effective
11 date of Public Act 93-7). Any revenue lost by the University in
12 implementing this subsection (a) shall be absorbed by the
13 University Income Fund.

14 (b) If a person is on active military duty and stationed in
15 Illinois, then the Board shall deem that person and any of his
16 or her dependents Illinois residents for tuition purposes.
17 Beginning with the 2009-2010 academic year, if a person is on
18 active military duty and is stationed out of State, but he or
19 she was stationed in this State for at least 3 years
20 immediately prior to being reassigned out of State, then the
21 Board shall deem that person and any of his or her dependents
22 Illinois residents for tuition purposes, as long as that person
23 or his or her dependent (i) applies for admission to the
24 University within 18 months of the person on active military
25 duty being reassigned or (ii) remains continuously enrolled at
26 the University. Beginning with the 2013-2014 academic year, if

1 a person is utilizing benefits under the federal Post-9/11
2 Veterans Educational Assistance Act of 2008 or any subsequent
3 variation of that Act, then the Board shall deem that person an
4 Illinois resident for tuition purposes.

5 (Source: P.A. 95-888, eff. 1-1-09.)

6 Section 50. The Public Community College Act is amended by
7 changing Sections 6-4 and 6-4a as follows:

8 (110 ILCS 805/6-4) (from Ch. 122, par. 106-4)

9 Sec. 6-4. Variable rates and fees. Any community college
10 district, by resolution of the board, may establish variable
11 tuition rates and fees for students attending its college in an
12 amount not to exceed 1/3 of the per capita cost as defined in
13 Section 6-2, provided that voluntary contributions, as defined
14 in Section 65 of the Higher Education Student Assistance Act,
15 shall not be included in any calculation of community college
16 tuition and fee rates for the purpose of this Section.
17 Beginning with the 2013-2014 academic year, if a person is
18 utilizing benefits under the federal Post-9/11 Veterans
19 Educational Assistance Act of 2008 or any subsequent variation
20 of that Act, then the board shall deem that person an
21 in-district resident for tuition purposes.

22 (Source: P.A. 90-14, eff. 7-1-97.)

23 (110 ILCS 805/6-4a)

1 Sec. 6-4a. In-state tuition charge.

2 (a) Notwithstanding any other provision of law to the
3 contrary, for tuition purposes, a board shall deem an
4 individual an Illinois resident, until the individual
5 establishes a residence outside of this State, if all of the
6 following conditions are met:

7 (1) The individual resided with his or her parent or
8 guardian while attending a public or private high school in
9 this State.

10 (2) The individual graduated from a public or private
11 high school or received the equivalent of a high school
12 diploma in this State.

13 (3) The individual attended school in this State for at
14 least 3 years as of the date the individual graduated from
15 high school or received the equivalent of a high school
16 diploma.

17 (4) The individual registers as an entering student in
18 the community college not earlier than the 2003 fall
19 semester.

20 (5) In the case of an individual who is not a citizen
21 or a permanent resident of the United States, the
22 individual provides the community college with an
23 affidavit stating that the individual will file an
24 application to become a permanent resident of the United
25 States at the earliest opportunity the individual is
26 eligible to do so.

1 (b) This Section applies only to tuition for a term or
2 semester that begins on or after the effective date of this
3 amendatory Act of the 93rd General Assembly.

4 (c) Beginning with the 2013-2014 academic year, if a person
5 is utilizing benefits under the federal Post-9/11 Veterans
6 Educational Assistance Act of 2008 or any subsequent variation
7 of that Act, then the board shall deem that person an Illinois
8 resident for tuition purposes.

9 (Source: P.A. 93-7, eff. 5-20-03.)

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