

1 AMENDMENT TO SENATE BILL 406

2 AMENDMENT NO. _____. Amend Senate Bill 406 as follows:
3 on page 1, lines 1 and 2, by deleting "student assistance";
4 and
5 on page 1, immediately below line 4, by inserting the
6 following:

7 "Section 5. The Illinois Financial Assistance Act for
8 Nonpublic Institutions of Higher Learning is amended by
9 changing Sections 3, 4, 5, and 7 as follows:

10 (110 ILCS 210/3) (from Ch. 144, par. 1333)

11 Sec. 3. For the academic year beginning in 2002
12 September-17-1977, institutional grants may shall be made for
13 that and for each succeeding academic year to each nonpublic
14 institution of higher learning in an amount determined by
15 allocating amounts for funding this Act among the eligible
16 institutions in accordance with a formula or formulae based
17 upon one or more of the following factors: ~~on~~ the number of
18 undergraduate degrees granted to students who are residents
19 of the State of Illinois enrolled as students at each such
20 institution; the number of full-time equivalent undergraduate
21 students who are residents of the State of Illinois enrolled
22 as students at each such institution; and the number of ~~7-~~with

1 ~~double-credit-being-given-to-the~~ full-time equivalent of such
2 students who are junior or senior students at such
3 institutions. ~~The---number----of----full-time----equivalent~~
4 ~~undergraduate---students---enrolled---at---eligible---nonpublic~~
5 ~~institutions-of-higher-learning-shall-be-determined-as-of-the~~
6 ~~first-day-of-the-fourth-week-of-classes--of--the--fall--term.~~
7 The Board of Higher Education shall establish formula
8 allocations guidelines and adopt rules necessary for the
9 administration of this Act.

10 Conditions of institutional eligibility for these grants
11 shall include but need not be limited to the following:

12 (1) That the governing board of the institution possess
13 its own sovereignty.

14 (2) That the governing board, or its delegated
15 institutional officials, possess final authority in all
16 matters of local control, including educational policy,
17 choice of personnel, determination of program, and financial
18 management.

19 (3) That the institution possess and maintain an open
20 policy with respect to race, creed and color as to admission
21 of students, appointment of faculty and employment of staff.

22 (4) That the institution be able to show its current
23 financial stability and reasonable prospects for its future
24 stability.

25 (5) That the institution not be operated for profit.

26 (6) That the institution provide a full financial report
27 including a certified audit, and participate in the unit cost
28 study and other studies conducted annually by the Board of
29 Higher Education.

30 (7) If required by rule of the Board, that the
31 institution submit to an additional annual external audit of
32 its enrollment records and nonsectarian use of funds.

33 (Source: P.A. 84-834.)

(110 ILCS 210/4) (from Ch. 144, par. 1334)

Sec. 4. For the academic year beginning in 2002
~~1971-1972~~ and each academic year thereafter, each eligible
institution of higher learning shall prepare and certify to
the Board in writing any information required by the Board to
justify the grants of--Higher--Education,--on-the-basis-of
enrollment-at-that-institution-on-October-1-of-that--year,--a
list--of--the--names,--addresses--and--classification-of-each
resident-of-Illinois-enrolled--as--a--full-time--freshman--or
sophomore--and--of--each--resident--of-Illinois-enrolled-as-a
full-time-junior-or-senior-at-that-institution-and-a--similar
list---of---the--names,--addresses,--and--classifications--of
residents-of-Illinois--enrolled--as--part-time--freshmen--and
sophomores,--and--as--part-time--juniors--and-seniors-at-such
institution,--together-with-a-certification-of-the--number--of
credit--hours--for--which--such--students--are-enrolled. This
information certified-list shall be signed and furnished to
the Board by the chief administrative officer of the
institution.

(Source: P.A. 80-289.)

(110 ILCS 210/5) (from Ch. 144, par. 1335)

Sec. 5. The Board shall prescribe and advise such
institutions as to the form of certificate or certificates to
be submitted under Section 4 of this Act, and promptly upon
receipt of such certificates from the institutions shall
certify to the State Comptroller ~~Treasurer~~ the aggregate
amount of the grant allocable to and to be paid to each such
institution. The Board shall examine the certificates
furnished by the institutions and may require such further
data and information as the Board may request. Upon written
notice by the Board to any institution, the Board may examine
the institution's student enrollment records for the purpose
of verification, amendment or correction of any such

1 certificate.

2 (Source: P.A. 77-273.)

3 (110 ILCS 210/7) (from Ch. 144, par. 1337)

4 Sec. 7. The Board shall keep an accurate record of all
5 its activities under this Act and ~~by February 15, 1972 and~~
6 ~~each year thereafter,~~ shall make a report to its members, to
7 the Governor and to the General Assembly Auditor of Public
8 Accounts, such report to be a part of its annual report in a
9 ~~form prescribed by its members, with the written approval of~~
10 ~~the Auditor of Public Accounts.~~

11 (Source: P.A. 77-273.)

12 Section 10. The Health Services Education Grants Act is
13 amended by changing Section 4 as follows:

14 (110 ILCS 215/4) (from Ch. 111 1/2, par. 824)

15 Sec. 4. Grants may be made to medical, dental, pharmacy,
16 optometry, and nursing schools, to physician assistant
17 programs, to other health-related schools and programs, and
18 to hospitals and clinical facilities used in health service
19 training programs.

20 Qualification for grants shall be on the basis of either
21 the number of Illinois resident enrollees or the number of
22 degrees granted to students who are residents of this State,
23 ~~an increase in the number of Illinois resident enrollees,~~ or
24 both. The grant amount ~~or proportion of increase required to~~
25 qualify shall be determined by the Board of Higher Education
26 for each class of institution. ~~However, in no case shall an~~
27 ~~institution qualify for grants unless the increase in its~~
28 ~~number of Illinois resident enrollees is at least equal to~~
29 ~~the increase in total enrollment made possible through such~~
30 ~~grants.~~

31 At the discretion of the Board of Higher Education grants

1 may be made for each class of institution in any or all of
2 the following forms:

3 (1) Single nonrecurring grants for planning and capital
4 expense based on the increase in the number of Illinois
5 resident enrollees;

6 (2) Annual grants based on the ~~increase-in-the~~ number of
7 degrees granted to (a) Illinois resident enrollees, or (b)
8 Illinois resident enrollees from minority racial and ethnic
9 groups, or both (a) and (b); and

10 (3) Annual stabilization grants based on the number of
11 (a) Illinois residents ~~already~~ enrolled, or (b) Illinois
12 residents ~~already~~ enrolled from minority racial and ethnic
13 groups, or both (a) and (b).

14 In awarding grants to nursing schools and to hospital
15 schools of nursing, the Board of Higher Education may also
16 consider whether the nursing program is located in a
17 certified nurse shortage area. For purposes of this Section
18 "certified nurse shortage area" means an area certified by
19 the Director of the Department of Public Health as a nurse
20 shortage area based on the most reliable data available to
21 the Director.

22 (Source: P.A. 86-1032; 87-1087.)

23 Section 15. The Illinois Consortium for Educational
24 Opportunity Act is amended by changing Section 9 as follows:

25 (110 ILCS 930/9) (from Ch. 144, par. 2309)

26 Sec. 9. Terms of award. After a person has been
27 accepted into the ICEOP, the individual shall be eligible for
28 an annual ~~up-to-a--\$10,000~~ award ~~annually~~ which shall be
29 renewable for up to an additional 3 years provided that he or
30 she makes satisfactory progress toward completing his or her
31 degree. The Consortium Board shall determine the award amount
32 annually.

1 (Source: P.A. 84-785.)"; and

2 on page 1, line 5, by replacing "5" with "20"; and

3 on page 1, line 6, by replacing "Section 35" with "Sections
4 35, 113, and 145"; and

5 on page 4, by replacing lines 20 and 21 with the following:

6 "(110 ILCS 947/113)

7 Sec. 113. Federal Student Loan Fund; Student Loan
8 Operating Fund; Federal Reserve Recall Fund. The Commission
9 shall create the Federal Student Loan Fund, the Student Loan
10 Operating Fund, and the Federal Reserve Recall Fund. At the
11 request of the Commission's Executive Director, the
12 Comptroller shall transfer funds, as necessary, from the
13 Student Assistance Commission Student Loan Fund into the
14 Federal Student Loan Fund, the Student Loan Operating Fund,
15 and the Federal Reserve Recall Fund. On or before August 31,
16 2000, the Commission's Executive Director shall request the
17 Comptroller to transfer all funds from the Student Assistance
18 Commission Student Loan Fund into any of the following funds:
19 the Federal Student Loan Fund, the Student Loan Operating
20 Fund, or the Federal Reserve Recall Fund. On September 1,
21 2000, the Student Assistance Commission Student Loan Fund is
22 abolished. Any future liabilities of this abolished fund
23 shall be assignable to the appropriate fund created as one of
24 its successors. At the request of the Commission's Executive
25 Director, the Comptroller shall transfer funds from the
26 Federal Student Loan Fund into the Student Loan Operating
27 Fund.

28 (Source: P.A. 91-670, eff. 12-22-99.)

29 (110 ILCS 947/145)

30 Sec. 145. Issuance of Bonds.

31 (a) The Commission has power, and is authorized from

1 time to time, to issue bonds (1) to make or acquire eligible
2 loans, (2) to refund the bonds of the Commission, or (3) for
3 a combination of such purposes. The Commission shall not have
4 outstanding at any one time bonds in an aggregate principal
5 amount exceeding \$3,500,000,000 ~~\$2,100,000,000~~, excluding
6 bonds issued to refund the bonds of the Commission.

7 The Commission is authorized to use the proceeds from the
8 sale of bonds issued pursuant to this Act to fund the
9 reserves created therefor, including a reserve for interest
10 coming due on the bonds for one year following the issuance
11 of the bonds, as provided in the resolution or resolutions
12 authorizing the bonds and to pay the necessary expenses of
13 issuing the bonds, including but not limited to, legal,
14 printing, and consulting fees.

15 (b) The Commission has power, and is authorized from
16 time to time, to issue refunding bonds (1) to refund unpaid
17 matured bonds; (2) to refund unpaid matured coupons
18 evidencing interest upon its unpaid matured bonds; and (3) to
19 refund interest at the coupon rate upon its unpaid matured
20 bonds that has accrued since the maturity of those bonds. The
21 refunding bonds may be exchanged for the bonds to be refunded
22 on a par for par basis of the bonds, interest coupons, and
23 interest not represented by coupons, if any, or may be sold
24 at not less than par or may be exchanged in part and sold in
25 part; and the proceeds received at any such sale shall be
26 used to pay the bonds, interest coupons, and interest not
27 represented by coupons, if any. Bonds and interest coupons
28 which have been received in exchange or paid shall be
29 cancelled and the obligation for interest, not represented by
30 coupons which have been discharged, shall be evidenced by a
31 written acknowledgement of the exchange or payment thereof.

32 (c) The Commission has power, and is authorized from
33 time to time, to also issue refunding bonds under this
34 Section, to refund bonds at or prior to their maturity or

1 which by their terms are subject to redemption before
2 maturity, or both, in an amount necessary to refund (1) the
3 principal amount of the bonds to be refunded, (2) the
4 interest to accrue up to and including the maturity date or
5 dates thereof, and (3) the applicable redemption premiums, if
6 any. Those refunding bonds may be exchanged for not less than
7 an equal principal amount of bonds to be refunded or may be
8 sold and the proceeds received at the sale thereof (excepting
9 the accrued interest received) used to complete such
10 refunding, including the payment of the costs of issuance
11 thereof.

12 (d) The bonds shall be authorized by resolution of the
13 Commission and may be issued in one or more series, may bear
14 such date or dates, may be in such denomination or
15 denominations, may mature at such time or times not exceeding
16 40 years from the respective dates thereof, may mature in
17 such amount or amounts, may bear interest at such rate or
18 rates, may be in such form either coupon or registered as to
19 principal only or as to both principal and interest, may
20 carry such registration privileges (including the conversion
21 of a fully registered bond to a coupon bond or bonds and the
22 conversion of a coupon bond to a fully registered bond), may
23 be executed in such manner, may be made payable in such
24 medium of payment, at such place or places within or without
25 the State, and may be subject to such terms of redemption
26 prior to their expressed maturity, with or without premium,
27 as the resolution or other resolutions may provide. Proceeds
28 from the sale of the bonds may be invested as the resolution
29 or resolutions and as the Commission from time to time may
30 provide. All bonds issued under this Act shall be sold in
31 the manner and at such price as the Commission may deem to be
32 in the best interest of the public. The resolution may
33 provide that the bonds be executed with one manual signature
34 and that other signatures may be printed, lithographed or

1 engraved thereon.

2 The Commission shall not be authorized to create and the
3 bonds shall not in any event constitute State debt of the
4 State of Illinois within the meaning of the Constitution or
5 statutes of the State of Illinois, and the same shall be so
6 stated upon the face of each bond. The source of payment for
7 the bonds shall be stated on the face of each bond.

8 The issuance of bonds under this Act is in all respects
9 for the benefit of the People of the State of Illinois, and
10 in consideration thereof the bonds issued pursuant to this
11 Act and the income therefrom shall be free from all taxation
12 by the State or its political subdivisions, except for
13 estate, transfer, and inheritance taxes. For purposes of
14 Section 250 of the Illinois Income Tax Act, the exemption of
15 the income from bonds issued under this Act shall terminate
16 after all of the bonds have been paid. The amount of such
17 income that shall be added and then subtracted on the
18 Illinois income tax return of a taxpayer, pursuant to Section
19 203 of the Illinois Income Tax Act, from federal adjusted
20 gross income or federal taxable income in computing Illinois
21 base income shall be the interest net of any bond premium
22 amortization.

23 (Source: P.A. 89-460, eff. 5-24-96; 90-281, eff. 7-31-97.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law, except that (i) in Section 20, the provisions
26 changing Section 35 of the Higher Education Student
27 Assistance Act take effect on July 1, 2001 and (ii) Sections
28 5, 10, and 15 take effect on July 1, 2002."