

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Public Community College Act is amended by changing Section 6-4 as follows:

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

Sec. 6-4. Variable rates and fees. Any community college district, by resolution of the board, may establish variable tuition rates and fees for students attending its college in an amount not to exceed 1/3 of the per capita cost as defined in Section 6-2, provided that voluntary contributions, as defined in Section 65 of the Higher Education Student Assistance Act, shall not be included in any calculation of community college tuition and fee rates for the purpose of this Section. 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 shall deem that person an in-district resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the board shall deem that person an in-district resident for tuition purposes. Beginning with the 2019-2020

academic year through the 2021-2022 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the board shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable. Beginning with the 2022-2023 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active duty or is an individual entitled to assistance as described in 38 U.S.C. 3679(c), then the board shall deem that person an in-district resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(Source: P.A. 101-424, eff. 8-16-19.)

Section 10. The Higher Education Student Assistance Act is amended by changing Section 40 as follows:

(110 ILCS 947/40)

Sec. 40. Illinois Veteran grant program.

(a) As used in this Section:

"Qualified applicant" means a person who served in the Armed Forces of the United States, a Reserve component of the Armed Forces, or the Illinois National Guard, excluding members of the Reserve Officers' Training Corps and those

whose only service has been attendance at a service academy, and who meets all of the qualifications of either paragraphs (1) through (4) or paragraphs (2), (3), and (5):

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

(A) An Illinois resident.

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

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

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

(A) He or she served at least one year of federal active duty.

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

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

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

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

(4) The person returned to this State within 6 months

after leaving federal active duty service, or, if married to a person in continued military service stationed outside this State, returned to this State within 6 months after his or her spouse left service or was stationed within this State.

(5) The person does not meet the requirements of paragraph (1), but (i) is a resident of Illinois at the time of application to the Commission and (ii) at some point after leaving federal active duty service, was a resident of Illinois for at least 15 consecutive years.

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

(b) A person who otherwise qualifies under subsection (a) of this Section but has not left federal active duty service and has served at least one year of federal active duty or has served for less than one year of federal active duty in a foreign country during a time of hostilities in that foreign country and who can provide documentation demonstrating an honorable service record is eligible to receive assistance under this Section.

(c) A qualified applicant is not required to pay any tuition or mandatory fees while attending a State-controlled

university or public community college in this State for a period that is equivalent to 4 years of full-time enrollment, including summer terms.

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

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

(e) Assistance under this Section is considered an entitlement that the State-controlled college or public community college in which the qualified applicant is enrolled shall honor without any condition other than the qualified applicant's maintenance of minimum grade levels and a satisfactory student loan repayment record pursuant to subsection (c) of Section 20 of this Act.

(f) The Commission shall administer the grant program established by this Section and shall make all necessary and proper rules not inconsistent with this Section for its

effective implementation.

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

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

(Source: P.A. 101-334, eff. 8-9-19.)

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