



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

**HB4244**

by Rep. Jim Durkin

#### SYNOPSIS AS INTRODUCED:

30 ILCS 769/25-15 new

Amends the Private Colleges and Universities Capital Distribution Formula Act. Provides that if an institution received a certain grant and fails to meet the definition of "independent college" before the term of the grant is ended, the remaining funds shall be re-distributed unless its facilities for which the grant was given are operated by another institution that qualifies as an independent college. Further provides that in the event that the facilities are operated by another institution that qualifies as an independent college, the entire balance of the grant shall be transferred to that successor institution for the duration of the grant. Further provides that in the event that, on or before the effective date of this amendatory Act, the remaining funds have been re-allocated or re-distributed to other independent colleges, or the Illinois Board of Higher Education has planned for the remaining funds to be re-allocated or re-distributed to other independent colleges, before the 5-year period for the utilization of funds has ended, any funds so re-allocated or re-distributed shall be deducted from future allocations to those other independent colleges and be re-allocated or re-distributed to the initial institution or the successor entity operating the facilities of the original institution if: (i) the institution that failed to meet the definition of "independent college" once again meets the definition of "independent college" before the 5-year period has expired; or (ii) the facility or facilities of the former independent college are operated by another entity that qualifies as an "independent college" before the 5-year period has expired. Effective immediately.

LRB098 14444 OMW 50346 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The Private Colleges and Universities Capital  
5 Distribution Formula Act is amended by adding Section 25-15 as  
6 follows:

7 (30 ILCS 769/25-15 new)

8 Sec. 25-15. Transfer of funds to another independent  
9 college.

10 (a) If an institution received a grant under this Article  
11 and subsequently fails to meet the definition of "independent  
12 college", the remaining funds shall be re-distributed as  
13 provided in Section 25-10, unless the campus or facilities for  
14 which the grant was given are operated by another institution  
15 that qualifies as an independent college under this Article.

16 (b) If the facilities of a former independent college are  
17 operated by another entity that qualifies as an independent  
18 college as provided in subsection (a) of this Section, then the  
19 entire balance of the grant provided under this Article  
20 remaining on the date the former independent college ceased  
21 operations, including any amount that had been withheld after  
22 the former independent college ceased operations, shall be  
23 transferred to the successor independent college for the

1 purpose of operating those facilities for the duration of the  
2 grant.

3 (c) In the event that, on or before the effective date of  
4 this amendatory Act of the 98th General Assembly, the remaining  
5 funds have been re-allocated or re-distributed to other  
6 independent colleges, or the Illinois Board of Higher Education  
7 has planned for the remaining funds to be re-allocated or  
8 re-distributed to other independent colleges, before the  
9 5-year period provided under this Act for the utilization of  
10 funds has ended, any funds so re-allocated or re-distributed  
11 shall be deducted from future allocations to those other  
12 independent colleges and re-allocated or re-distributed to the  
13 initial institution or the successor entity operating the  
14 facilities of the original institution if: (i) the institution  
15 that failed to meet the definition of "independent college"  
16 once again meets the definition of "independent college" before  
17 the 5-year period has expired; or (ii) the facility or  
18 facilities of the former independent college are operated by  
19 another entity that qualifies as an independent college before  
20 the 5-year period has expired.

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