



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5385

Introduced 2/10/2026, by Rep. Dave Vella

#### SYNOPSIS AS INTRODUCED:

110 ILCS 916/15  
110 ILCS 916/20

Amends the Public Interest Attorney Assistance Act. Allows a solo practitioner in or employed by a private practice in a county with 20 or fewer attorneys in private practice to be considered a "public interest attorney" who may apply for loan repayment assistance under the Public Interest Attorney Loan Repayment Assistance Program. Allows a graduate of a law school located in the State who is a licensed attorney in another state in good standing to be eligible for assistance. Adds as an eligibility requirement that an applicant must not have earned more than \$120,000 from the practice of law in the prior 12 months. Raises the maximum amount of assistance to \$10,000 (rather than \$6,000) per year and \$50,000 (rather than \$30,000) during a program participant's career. Makes other changes.

LRB104 18212 LNS 31651 b

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 Public Interest Attorney Assistance Act is  
5 amended by changing Sections 15 and 20 as follows:

6 (110 ILCS 916/15)

7 Sec. 15. Definitions. For the purposes of this Act:

8 "Assistant State's Attorney" means a full-time employee of  
9 a State's Attorney in Illinois or the State's Attorneys  
10 Appellate Prosecutor who is continually licensed to practice  
11 law and prosecutes or defends cases on behalf of the State or a  
12 county.

13 "Assistant Attorney General" means a full-time employee of  
14 the Illinois Attorney General who is continually licensed to  
15 practice law and prosecutes or defends cases on behalf of the  
16 State.

17 "Assistant Public Defender" means a full-time employee of  
18 a Public Defender in Illinois or the State Appellate Defender  
19 who is continually licensed to practice law and provides legal  
20 representation to indigent persons, as provided by statute.

21 "Assistant public guardian" means a full-time employee of  
22 a public guardian in Illinois who is continually licensed to  
23 practice law and provides legal representation pursuant to

1 court appointment.

2 "Civil legal aid" means free or reduced-cost legal  
3 representation or advice to low-income clients in non-criminal  
4 matters.

5 "Civil legal aid attorney" means an attorney who is  
6 continually licensed to practice law and is employed full time  
7 as an attorney at a civil legal aid organization in Illinois.

8 "Civil legal aid organization" means a not-for-profit  
9 corporation in Illinois that (i) is exempt from the payment of  
10 federal income tax pursuant to Section 501(c)(3) of the  
11 Internal Revenue Code, (ii) is established for the purpose of  
12 providing legal services that include civil legal aid, (iii)  
13 employs 2 or more full-time attorneys who are licensed to  
14 practice law in this State and who directly provide civil  
15 legal aid, and (iv) is in compliance with registration and  
16 filing requirements that are applicable under the Charitable  
17 Trust Act and the Solicitation for Charity Act.

18 "Commission" means the Illinois Student Assistance  
19 Commission.

20 "Committee" means the advisory committee created under  
21 Section 20 of this Act.

22 "Eligible debt" means outstanding principal, interest, and  
23 related fees from loans obtained for undergraduate, graduate,  
24 or law school educational expenses made by government or  
25 commercial lending institutions or educational institutions.

26 "Eligible debt" excludes loans made by a private individual or

1 family member.

2 "IGAC attorney" means a full-time employee of the Illinois  
3 Guardianship and Advocacy Commission, including the Office of  
4 State Guardian, the Legal Advocacy Service, and the Human  
5 Rights Authority, who is continually licensed to practice law  
6 and provides legal representation to carry out the  
7 responsibilities of the Illinois Guardianship and Advocacy  
8 Commission.

9 "Legislative attorney" means a full-time employee of the  
10 Illinois Senate, the Illinois House of Representatives, or the  
11 Illinois Legislative Reference Bureau who is continually  
12 licensed to practice law and provides legal advice to members  
13 of the General Assembly.

14 "Program" means the Public Interest Attorney Loan  
15 Repayment Assistance Program.

16 "Public interest attorney" means an attorney practicing in  
17 Illinois who is an assistant State's Attorney, assistant  
18 Public Defender, civil legal aid attorney, assistant Attorney  
19 General, assistant public guardian, IGAC attorney, ~~or~~  
20 legislative attorney, or solo practitioner in or employed by a  
21 private practice in a county with 20 or fewer attorneys in  
22 private practice.

23 "Qualifying employer" means (i) an Illinois State's  
24 Attorney or the State's Attorneys Appellate Prosecutor, (ii)  
25 an Illinois Public Defender or the State Appellate Defender,  
26 (iii) an Illinois civil legal aid organization, (iv) the

1 Illinois Attorney General, (v) an Illinois public guardian,  
2 (vi) the Illinois Guardianship and Advocacy Commission, (vii)  
3 the Illinois Senate, (viii) the Illinois House of  
4 Representatives, ~~or~~ (ix) the Illinois Legislative Reference  
5 Bureau, or (x) a private practice in a county with 20 or fewer  
6 attorneys in private practice.

7 (Source: P.A. 96-615, eff. 1-1-10; 96-768, eff. 1-1-10.)

8 (110 ILCS 916/20)

9 Sec. 20. Public Interest Attorney Loan Repayment  
10 Assistance Program.

11 (a) The Commission shall establish and administer the  
12 Program for the primary purpose of providing loan repayment  
13 assistance to practicing attorneys to encourage them to pursue  
14 careers as public interest attorneys to protect the rights of  
15 this State's most vulnerable citizens, provide services to  
16 persons in underserved or rural areas, or provide quality  
17 enforcement of State law. The Commission shall create an  
18 advisory committee composed of representatives from  
19 organizations with relevant expertise, including one person  
20 from each of the following entities:

21 (1) The Illinois State's Attorneys Association.

22 (2) An office of an Illinois Public Defender.

23 (3) An office of an Illinois public guardian.

24 (4) The Office of the Illinois Attorney General.

25 (5) An Illinois metropolitan bar association.

1 (6) An Illinois statewide bar association.

2 (7) A public law school in this State.

3 (b) The Public Interest Attorney Loan Repayment Assistance  
4 Fund is created as a special fund in the State treasury. The  
5 Fund shall consist of all moneys remitted to the Commission  
6 under the terms of this Act. All money in the Fund shall be  
7 used, subject to appropriation, by the Commission for the  
8 purposes of this Act.

9 (c) Subject to the availability of appropriations and  
10 subsections (d) and (e) of this Section, the Commission shall  
11 distribute funds to eligible applicants.

12 (d) The Commission is authorized to prescribe all rules,  
13 policies, and procedures necessary or convenient for the  
14 administration of the Program and all terms and conditions  
15 applicable to payments made under this Act. This shall be done  
16 with the guidance and assistance of the Committee.

17 (e) The Commission shall administer the Program,  
18 including, but not limited to, establishing and implementing  
19 the following:

20 (1) An application process. Subject to the  
21 availability of appropriations, the Commission shall, each  
22 year, consider applications by eligible public interest  
23 attorneys for loan repayment assistance under the Program.  
24 All applications must be submitted to the Commission in a  
25 form and manner prescribed by the Commission. Applicants  
26 must submit any supporting documents deemed necessary by

1 the Commission at the time of application.

2 (2) Eligibility requirements. The Commission shall, on  
3 an annual basis, receive and consider applications for  
4 loan repayment assistance under the Program if the  
5 Commission finds that the applicant:

6 (i) is a citizen or permanent resident of the  
7 United States;

8 (ii) is a licensed member of the Illinois Bar in  
9 good standing or a graduate of a law school located in  
10 this State who is a licensed attorney of another state  
11 in good standing;

12 (iii) has eligible debt in grace or repayment  
13 status and has not defaulted on an educational loan;  
14 ~~and~~

15 (iv) is employed as a public interest attorney  
16 with a qualifying employer in Illinois; and-

17 (v) has earned no more than \$120,000 from the  
18 practice of law in the prior 12 months, not including  
19 health insurance premiums or other employment benefits  
20 that are paid by the applicant's employer.

21 (3) A maximum amount of loan repayment assistance for  
22 each participant, which shall be \$10,000 ~~\$6,000~~ per year,  
23 up to a maximum of \$50,000 ~~\$30,000~~ during the  
24 participant's career.

25 (4) Prioritization. The Commission shall develop  
26 criteria for prioritization among eligible applicants in

1 the event that there are insufficient funds available to  
2 make payments to all eligible applicants under this Act.  
3 The prioritization criteria shall include the timeliness  
4 of the application, the applicant's salary level, the  
5 amount of the applicant's eligible debt, the availability  
6 of other loan repayment assistance to the applicant, the  
7 applicant's length of service as a public interest  
8 attorney, and the applicant's prior participation in the  
9 Program.

10 (f) The distribution of funds available after  
11 administrative costs must be made by the Commission to  
12 eligible public interest attorneys in the following manner:

13 (1) Loan repayment assistance must be in the form of a  
14 forgivable loan.

15 (2) To have the loan forgiven, the participant shall  
16 (i) complete a year of employment with a qualifying  
17 employer and (ii) make educational debt payments (interest  
18 or principal or both) that equal at least the amount of  
19 assistance received under the Program during the  
20 assistance year.

21 (3) Each loan must be documented by means of a  
22 promissory note executed by the borrower in a form  
23 provided by the Commission and shall be forgiven when an  
24 eligible participant meets the requirements set forth by  
25 the Commission.

26 (Source: P.A. 96-615, eff. 1-1-10; 96-768, eff. 1-1-10.)