

SB1255



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1255

Introduced 2/6/2019, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

110 ILCS 947/40

Amends the Higher Education Student Assistance Act. With regard to the Illinois Veteran grant program, provides that, beginning with the 2019-2020 academic year, a veteran may transfer his or her benefits to a qualified dependent if certain conditions are met; defines "qualified dependent". Provides that a veteran may transfer benefits to multiple qualified dependents; however, the total number of credit hours of assistance transferred may not exceed 120 credit hours, and a veteran may transfer benefits to only one qualified dependent at a time. Effective July 1, 2019.

LRB101 10835 AXK 55969 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 Higher Education Student Assistance Act is
5 amended by changing Section 40 as follows:

6 (110 ILCS 947/40)

7 Sec. 40. Illinois Veteran grant program.

8 (a) As used in this Section:

9 "Qualified applicant" means a person who served in the
10 Armed Forces of the United States, a Reserve component of the
11 Armed Forces, or the Illinois National Guard, excluding members
12 of the Reserve Officers' Training Corps and those whose only
13 service has been attendance at a service academy, and who meets
14 all of the following qualifications:

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

17 (A) An Illinois resident.

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

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

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

23 (A) He or she served at least one year of federal

1 active duty.

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

5 (C) He or she served less than one year of federal
6 active duty and was discharged prior to August 11,
7 1967.

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

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

13 (4) The person returned to this State within 6 months
14 after leaving federal active duty service, or, if married
15 to a person in continued military service stationed outside
16 this State, returned to this State within 6 months after
17 his or her spouse left service or was stationed within this
18 State.

19 "Qualified dependent" means any natural born or legally
20 adopted child of a veteran of the United States Armed Forces
21 who meets all of the following qualifications:

22 (1) Has earned a high school diploma or high school
23 equivalency certificate and is at least 18 years of age but
24 less than 26 years of age, unless granted an extension by
25 the Commission due to a qualifying illness or debilitating
26 condition.

1 (2) Meets the cumulative grade point average
2 requirements of the postsecondary institution.

3 (3) Is a resident of Illinois for the term in which the
4 grant under subsection (i) is transferred.

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

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

19 (c) A grant recipient ~~qualified applicant~~ is not required
20 to pay any tuition or mandatory fees while attending a
21 State-controlled university or public community college in
22 this State for a period that is equivalent to 4 years of
23 full-time enrollment, including summer terms.

24 A qualified applicant who has previously received benefits
25 under this Section for a non-mandatory fee shall continue to
26 receive benefits covering such fees while he or she is enrolled

1 in a continuous program of study. The qualified applicant shall
2 no longer receive a grant covering non-mandatory fees if he or
3 she fails to enroll during an academic term, unless he or she
4 is serving federal active duty service.

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

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

17 (f) The Commission shall administer the grant program
18 established by this Section and shall make all necessary and
19 proper rules not inconsistent with this Section for its
20 effective implementation.

21 (g) All applications for assistance under this Section must
22 be made to the Commission on forms that the Commission shall
23 provide. The Commission shall determine the form of application
24 and the information required to be set forth in the
25 application, and the Commission shall require ~~qualified~~
26 applicants to submit with their applications any supporting

1 documents that the Commission deems necessary. Upon request,
2 the Department of Veterans' Affairs shall assist the Commission
3 in determining the eligibility of applicants for assistance
4 under this Section.

5 (h) Assistance under this Section is available as long as
6 the federal government provides educational benefits to
7 veterans. Assistance must not be paid under this Section after
8 6 months following the termination of educational benefits to
9 veterans by the federal government, except for persons who
10 already have begun their education with assistance under this
11 Section. If the federal government terminates educational
12 benefits to veterans and at a later time resumes those
13 benefits, assistance under this Section shall resume.

14 (i) Beginning with the 2019-2020 academic year, a grant
15 awarded under this Section may be transferred to a qualified
16 dependent if the qualified dependent's parent meets all of the
17 following qualifications:

18 (1) He or she is a qualified applicant under subsection
19 (a) or (b).

20 (2) He or she has served at least 6 years of federal
21 active duty service and at least 2 years of Reserve or
22 Individual Ready Reserve service.

23 (3) He or she has no federal veterans' educational
24 benefits or no federal veterans' educational benefits
25 dedicated only to the payment of tuition and fees, such as
26 Chapter 31 or 33 benefits, for an enrolled term or semester

1 that exceed the value of a grant under this Section.

2 (4) He or she is a resident of Illinois during the term
3 of the qualified dependent's enrollment unless the veteran
4 has been recalled to active duty outside the State or has
5 rejoined the military and is outside the State pursuant to
6 military orders. However, a veteran who has a
7 service-connected disability rating, as determined by the
8 U.S. Department of Veterans Affairs, of 90% to 100% or is
9 unemployable based on a total disability, as determined by
10 the U.S. Department of Veterans Affairs, is not required to
11 maintain Illinois residency while his or her qualified
12 dependent receives benefits under this subsection.

13 A qualified dependent of a person who was killed in the
14 line of duty, was a prisoner of war, was missing in action, had
15 a service-connected disability rating, as determined by the
16 U.S. Department of Veterans Affairs, of 90% to 100%, was
17 unemployable based on a total disability, as determined by the
18 U.S. Department of Veterans Affairs, or died as a result of
19 injury or illness directly related to his or her military
20 service is eligible for a grant transfer of no less than 120
21 credit hours under this subsection if the parent would have
22 otherwise met the qualifications under this subsection. A
23 dependent may still qualify for a grant under this subsection
24 if he or she marries or if his or her parents divorce.

25 Benefits under this Section may not be used simultaneously
26 by both the veteran and his or her qualified dependent. A

1 veteran may revoke or otherwise change the transfer of his or
2 her benefits to a qualified dependent under this subsection at
3 any time but may not transfer his or her benefits to the same
4 qualified dependent again once those benefits have been revoked
5 for that qualified dependent.

6 A veteran may transfer benefits under this subsection to
7 multiple qualified dependents; however, the total number of
8 credit hours of assistance transferred may not exceed 120
9 credit hours, and a veteran may transfer benefits to only one
10 qualified dependent at a time.

11 (Source: P.A. 94-583, eff. 8-15-05.)

12 Section 99. Effective date. This Act takes effect July 1,
13 2019.