

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 School Code is amended by changing Section
5 30-14.2 as follows:

6 (105 ILCS 5/30-14.2) (from Ch. 122, par. 30-14.2)

7 Sec. 30-14.2. MIA/POW scholarships.

8 (a) Any spouse, natural child, legally adopted child, or
9 step-child of an eligible veteran or serviceperson who
10 possesses all necessary entrance requirements shall, upon
11 application and proper proof, be awarded a MIA/POW Scholarship
12 consisting of the equivalent of 4 calendar years of full-time
13 enrollment including summer terms, to the state supported
14 Illinois institution of higher learning of his choice, subject
15 to the restrictions listed below.

16 "Eligible veteran or serviceperson" means any veteran or
17 serviceperson, including an Illinois National Guard member who
18 is on active duty or is active on a training assignment, who
19 has been declared by the U.S. Department of Defense or the U.S.
20 Department of Veterans Affairs to be a prisoner of war, be
21 missing in action, have died as the result of a
22 service-connected disability or have become a person with a
23 permanent disability from service-connected causes with 100%

1 disability and who (i) at the time of entering service was an
2 Illinois resident, (ii) was an Illinois resident within 6
3 months after entering such service, or (iii) is a resident of
4 Illinois at the time of application for the Scholarship and, at
5 some point after leaving such service, was a resident of
6 Illinois for at least 15 consecutive years ~~until July 1, 2014,~~
7 ~~became an Illinois resident within 6 months after leaving the~~
8 ~~service and can establish at least 30 years of continuous~~
9 ~~residency in the State of Illinois.~~

10 Full-time enrollment means 12 or more semester hours of
11 courses per semester, or 12 or more quarter hours of courses
12 per quarter, or the equivalent thereof per term. Scholarships
13 utilized by dependents enrolled in less than full-time study
14 shall be computed in the proportion which the number of hours
15 so carried bears to full-time enrollment.

16 Scholarships awarded under this Section may be used by a
17 spouse or child without regard to his or her age. The holder of
18 a Scholarship awarded under this Section shall be subject to
19 all examinations and academic standards, including the
20 maintenance of minimum grade levels, that are applicable
21 generally to other enrolled students at the Illinois
22 institution of higher learning where the Scholarship is being
23 used. If the surviving spouse remarries or if there is a
24 divorce between the veteran or serviceperson and his or her
25 spouse while the dependent is pursuing his or her course of
26 study, Scholarship benefits will be terminated at the end of

1 the term for which he or she is presently enrolled. Such
2 dependents shall also be entitled, upon proper proof and
3 application, to enroll in any extension course offered by a
4 State supported Illinois institution of higher learning
5 without payment of tuition and approved fees.

6 The holder of a MIA/POW Scholarship authorized under this
7 Section shall not be required to pay any matriculation or
8 application fees, tuition, activities fees, graduation fees or
9 other fees, except multipurpose building fees or similar fees
10 for supplies and materials.

11 Any dependent who has been or shall be awarded a MIA/POW
12 Scholarship shall be reimbursed by the appropriate institution
13 of higher learning for any fees which he or she has paid and
14 for which exemption is granted under this Section if
15 application for reimbursement is made within 2 months following
16 the end of the school term for which the fees were paid.

17 (b) In lieu of the benefit provided in subsection (a), any
18 spouse, natural child, legally adopted child, or step-child of
19 an eligible veteran or serviceperson, which spouse or child has
20 a physical, mental or developmental disability, shall be
21 entitled to receive, upon application and proper proof, a
22 benefit to be used for the purpose of defraying the cost of the
23 attendance or treatment of such spouse or child at one or more
24 appropriate therapeutic, rehabilitative or educational
25 facilities. The application and proof may be made by the parent
26 or legal guardian of the spouse or child on his or her behalf.

1 The total benefit provided to any beneficiary under this
2 subsection shall not exceed the cost equivalent of 4 calendar
3 years of full-time enrollment, including summer terms, at the
4 University of Illinois. Whenever practicable in the opinion of
5 the Department of Veterans' Affairs, payment of benefits under
6 this subsection shall be made directly to the facility, the
7 cost of attendance or treatment at which is being defrayed, as
8 such costs accrue.

9 (c) The benefits of this Section shall be administered by
10 and paid for out of funds made available to the Illinois
11 Department of Veterans' Affairs. The amounts that become due to
12 any state supported Illinois institution of higher learning
13 shall be payable by the Comptroller to such institution on
14 vouchers approved by the Illinois Department of Veterans'
15 Affairs. The amounts that become due under subsection (b) of
16 this Section shall be payable by warrant upon vouchers issued
17 by the Illinois Department of Veterans' Affairs and approved by
18 the Comptroller. The Illinois Department of Veterans' Affairs
19 shall determine the eligibility of the persons who make
20 application for the benefits provided for in this Section.

21 (Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15;
22 100-201, eff. 8-18-17.)

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

1 (110 ILCS 947/40)

2 Sec. 40. Illinois Veteran grant program.

3 (a) As used in this Section:

4 "Qualified applicant" means a person who served in the
5 Armed Forces of the United States, a Reserve component of the
6 Armed Forces, or the Illinois National Guard, excluding members
7 of the Reserve Officers' Training Corps and those whose only
8 service has been attendance at a service academy, and who meets
9 all of the ~~following~~ qualifications of either paragraphs (1)
10 through (3) or paragraphs (2), (3), and (5):

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

13 (A) An Illinois resident.

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

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

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

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

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

24 (C) He or she served less than one year of federal
25 active duty and was discharged prior to August 11,
26 1967.

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

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

6 (4) (Blank). ~~The person returned to this State within 6~~
7 ~~months after leaving federal active duty service, or, if~~
8 ~~married to a person in continued military service stationed~~
9 ~~outside this State, returned to this State within 6 months~~
10 ~~after his or her spouse left service or was stationed~~
11 ~~within this State.~~

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

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

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

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

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

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

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

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

22 A qualified applicant who has previously received benefits
23 under this Section for a non-mandatory fee shall continue to
24 receive benefits covering such fees while he or she is enrolled
25 in a continuous program of study. The qualified applicant shall
26 no longer receive a grant covering non-mandatory fees if he or

1 she fails to enroll during an academic term, unless he or she
2 is serving federal active duty service.

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

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

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

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

1 in determining the eligibility of applicants for assistance
2 under this Section.

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

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

16 (1) He or she is a qualified applicant under subsection
17 (a) or (b).

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

21 (3) He or she has no federal veterans' educational
22 benefits or no federal veterans' educational benefits
23 dedicated only to the payment of tuition and fees, such as
24 Chapter 31 or 33 benefits, for an enrolled term or semester
25 that exceed the value of a grant under this Section.

26 (4) He or she is a resident of Illinois during the term

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

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