



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2862

Introduced 2/19/2021, by Rep. Daniel Swanson

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.5a
105 ILCS 5/34-18.30

from Ch. 122, par. 10-22.5a

Amends the School Code. Provides that if, at the time of enrollment, a dependent of United States military personnel is housed in temporary housing located outside of a school district, but will be living within the district within 6 months (instead of within 60 days), the dependent must be allowed to enroll and must not be charged tuition. Provides that United States military personnel shall provide proof within 6 months (instead of within 60 days) after the time of enrollment that the dependent will be living within the district. Effective immediately.

LRB102 04012 CMG 14028 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 School Code is amended by changing Sections
5 10-22.5a and 34-18.30 as follows:

6 (105 ILCS 5/10-22.5a) (from Ch. 122, par. 10-22.5a)

7 Sec. 10-22.5a. Attendance by dependents of United States
8 military personnel, foreign exchange students, and certain
9 nonresident pupils.

10 (a) To enter into written agreements with cultural
11 exchange organizations, or with nationally recognized
12 eleemosynary institutions that promote excellence in the arts,
13 mathematics, or science. The written agreements may provide
14 for tuition free attendance at the local district school by
15 foreign exchange students, or by nonresident pupils of
16 eleemosynary institutions. The local board of education, as
17 part of the agreement, may require that the cultural exchange
18 program or the eleemosynary institutions provide services to
19 the district in exchange for the waiver of nonresident
20 tuition.

21 To enter into written agreements with adjacent school
22 districts to provide for tuition free attendance by a student
23 of the adjacent district when requested for the student's

1 health and safety by the student or parent and both districts
2 determine that the student's health or safety will be served
3 by such attendance. Districts shall not be required to enter
4 into such agreements nor be required to alter existing
5 transportation services due to the attendance of such
6 non-resident pupils.

7 (a-5) If, at the time of enrollment, a dependent of United
8 States military personnel is housed in temporary housing
9 located outside of a school district, but will be living
10 within the district within 6 months ~~60 days~~ after the time of
11 initial enrollment, the dependent must be allowed to enroll,
12 subject to the requirements of this subsection (a-5), and must
13 not be charged tuition. Any United States military personnel
14 attempting to enroll a dependent under this subsection (a-5)
15 shall provide proof that the dependent will be living within
16 the district within 6 months ~~60 days~~ after the time of initial
17 enrollment. Proof of residency may include, but is not limited
18 to, postmarked mail addressed to the military personnel and
19 sent to an address located within the district, a lease
20 agreement for occupancy of a residence located within the
21 district, or proof of ownership of a residence located within
22 the district.

23 (b) Nonresident pupils and foreign exchange students
24 attending school on a tuition free basis under such agreements
25 and nonresident dependents of United States military personnel
26 attending school on a tuition free basis may be counted for the

1 purposes of determining the apportionment of State aid
2 provided under Section 18-8.05 or 18-8.15 of this Code. No
3 organization or institution participating in agreements
4 authorized under this Section may exclude any individual for
5 participation in its program on account of the person's race,
6 color, sex, religion or nationality.

7 (Source: P.A. 100-465, eff. 8-31-17.)

8 (105 ILCS 5/34-18.30)

9 Sec. 34-18.30. Dependents of military personnel; no
10 tuition charge. If, at the time of enrollment, a dependent of
11 United States military personnel is housed in temporary
12 housing located outside of the school district, but will be
13 living within the district within 6 months ~~60 days~~ after the
14 time of initial enrollment, the dependent must be allowed to
15 enroll, subject to the requirements of this Section, and must
16 not be charged tuition. Any United States military personnel
17 attempting to enroll a dependent under this Section shall
18 provide proof that the dependent will be living within the
19 district within 6 months ~~60 days~~ after the time of initial
20 enrollment. Proof of residency may include, but is not limited
21 to, postmarked mail addressed to the military personnel and
22 sent to an address located within the district, a lease
23 agreement for occupancy of a residence located within the
24 district, or proof of ownership of a residence located within
25 the district. Non-resident dependents of United States

1 military personnel attending school on a tuition-free basis
2 may be counted for the purposes of determining the
3 apportionment of State aid provided under Section 18-8.05 or
4 18-8.15 of this Code.

5 (Source: P.A. 100-465, eff. 8-31-17.)

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