



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5175

Introduced 1/27/2022, by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

110 ILCS 947/40

Amends the Higher Education Student Assistance Act. Changes definition of qualified applicant. Provides that a qualifying condition requires that the person applying must have received an honorable discharge after leaving federal active duty service (instead of received an honorable discharge after leaving each period of federal active duty service). Effective immediately.

LRB102 25267 NLB 34540 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 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
12 members of the Reserve Officers' Training Corps and those
13 whose only service has been attendance at a service academy,
14 and who meets all of the qualifications of either paragraphs
15 (1) through (4) or paragraphs (2), (3), and (5):

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

18 (A) An Illinois resident.

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

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

23 (2) The person meets one of the following

1 requirements:

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

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

7 (C) He or she served less than one year of federal
8 active duty and was discharged prior to August 11,
9 1967.

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

13 (3) The person received an honorable discharge after
14 leaving ~~each period of~~ federal active duty service.

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

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

26 "Time of hostilities" means any action by the Armed Forces

1 of the United States that is recognized by the issuance of a
2 Presidential proclamation or a Presidential executive order
3 and in which the Armed Forces expeditionary medal or other
4 campaign service medals are awarded according to Presidential
5 executive order.

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

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

19 A qualified applicant who has previously received benefits
20 under this Section for a non-mandatory fee shall continue to
21 receive benefits covering such fees while he or she is
22 enrolled in a continuous program of study. The qualified
23 applicant shall no longer receive a grant covering
24 non-mandatory fees if he or she fails to enroll during an
25 academic term, unless he or she is serving federal active duty
26 service.

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

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

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

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

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

10 (Source: P.A. 101-334, eff. 8-9-19.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.