



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3762

Introduced 1/21/2022, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

105 ILCS 5/30-14.2	from Ch. 122, par. 30-14.2
330 ILCS 105/0.01	from Ch. 126 1/2, par. 25.9
330 ILCS 105/1	from Ch. 126 1/2, par. 26
330 ILCS 105/2	from Ch. 126 1/2, par. 27

Amends the School Code. Provides that any spouse, natural child, legally adopted child under the age of 18 at the time of adoption, minor child younger than 18 who is under a court-ordered guardianship for at least 2 continuous years prior to application, or step-child under the age of 18 at the time of marriage of an eligible veteran or serviceperson shall, upon application and proper proof, be awarded a MIA/POW Scholarship. Provides that the holder of a MIA/POW Scholarship shall not be required to pay any tuition or mandatory fees while attending a State-controlled university or public community college in this State for a period equivalent to 4 years of enrollment, including summer terms. Amends the Children of Deceased Veterans Act. Changes the name of the Act to the Deceased, Disabled, and MIA/POW Veterans' Dependents Educational Opportunity Grant Act. Requires the Illinois Department of Veterans' Affairs to provide, subject to appropriation, for matriculation and tuition fees, board, room rent, books and supplies for the use and benefit of any natural child, adopted child, minor child who is under a court-ordered guardianship for at least 2 continuous years prior to application, or step-child of an eligible veteran or serviceperson, if the child is not under 10 and not over 18 years of age. Requires the child to provide proof of compliance with Illinois compulsory attendance requirements as provided under the School Code. Defines "eligible veteran or service person". Requires the Department to adopt rules on how to render payments to eligible minor children of deceased veterans or servicepersons. Effective immediately.

LRB102 23220 KTG 32384 b

1 AN ACT concerning veterans.

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 adding 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. Deceased, Disabled, and MIA/POW Veterans'
8 Dependents scholarship ~~scholarships~~.

9 (a) Any spouse, natural child, legally adopted child under
10 the age of 18 at the time of adoption, minor child younger than
11 18 who is under a court-ordered guardianship for at least 2
12 continuous years prior to application, or step-child under
13 the age of 18 at the time of marriage of an eligible veteran or
14 serviceperson who possesses all necessary entrance
15 requirements shall, upon application and proper proof, be
16 awarded a MIA/POW Scholarship consisting of the equivalent of
17 4 calendar years of full-time enrollment including summer
18 terms, to the state supported Illinois institution of higher
19 learning of his choice, subject to the restrictions listed
20 below.

21 "Eligible veteran or serviceperson" means any veteran or
22 serviceperson, including an Illinois National Guard member who
23 is on active duty or is active on a training assignment, who

1 has been declared by the U.S. Department of Defense or the U.S.
2 Department of Veterans Affairs to be a prisoner of war or ~~or~~ be
3 missing in action, or has ~~have~~ died as the result of a
4 service-connected disability or has ~~have~~ become a person with
5 a permanent disability from service-connected causes with 100%
6 disability and who (i) at the time of entering service was an
7 Illinois resident, or (ii) was an Illinois resident within 6
8 months after entering such service, or (iii) is a resident of
9 Illinois at the time of application for the Scholarship and,
10 at some point after entering ~~leaving~~ such service, was a
11 resident of Illinois for at least 15 consecutive years.

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

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

1 spouse while the dependent is pursuing his or her course of
2 study, Scholarship benefits will be terminated at the end of
3 the term for which he or she is presently enrolled. Such
4 dependents shall also be entitled, upon proper proof and
5 application, to enroll in any extension course offered by a
6 State supported Illinois institution of higher learning
7 without payment of tuition and approved fees.

8 The holder of a MIA/POW Scholarship authorized under this
9 Section shall not be required to pay any tuition or mandatory
10 fees while attending a State-controlled university or public
11 community college in this State for a period equivalent to 4
12 years of enrollment, including summer terms ~~any matriculation~~
13 ~~or application fees, tuition, activities fees, graduation fees~~
14 ~~or other fees, except multipurpose building fees or similar~~
15 ~~fees for supplies and materials.~~

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

23 (b) In lieu of the benefit provided in subsection (a), any
24 spouse, natural child, legally adopted child, or step-child of
25 an eligible veteran or serviceperson, which spouse or child
26 has a physical, mental or developmental disability, shall be

1 entitled to receive, upon application and proper proof, a
2 benefit to be used for the purpose of defraying the cost of the
3 attendance or treatment of such spouse or child at one or more
4 appropriate therapeutic, rehabilitative or educational
5 facilities. The application and proof may be made by the
6 parent or legal guardian of the spouse or child on his or her
7 behalf.

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

16 (c) The benefits of this Section shall be administered by
17 and paid for out of funds made available to the Illinois
18 Department of Veterans' Affairs. The amounts that become due
19 to any state supported Illinois institution of higher learning
20 shall be payable by the Comptroller to such institution on
21 vouchers approved by the Illinois Department of Veterans'
22 Affairs. The amounts that become due under subsection (b) of
23 this Section shall be payable by warrant upon vouchers issued
24 by the Illinois Department of Veterans' Affairs and approved
25 by the Comptroller. The Illinois Department of Veterans'
26 Affairs shall determine the eligibility of the persons who

1 make application for the benefits provided for in this
2 Section.

3 (Source: P.A. 100-201, eff. 8-18-17; 101-334, eff. 8-9-19.)

4 Section 10. The Children of Deceased Veterans Act is
5 amended by changing Sections 0.01, 1, and 2 as follows:

6 (330 ILCS 105/0.01) (from Ch. 126 1/2, par. 25.9)

7 Sec. 0.01. Short title. This Act may be cited as the
8 Deceased, Disabled, and MIA/POW Veterans' Dependents
9 Educational Opportunity Grant Act ~~Children of Deceased~~
10 ~~Veterans Act.~~

11 (Source: P.A. 86-1324.)

12 (330 ILCS 105/1) (from Ch. 126 1/2, par. 26)

13 Sec. 1. The Illinois Department of Veterans' Affairs shall
14 provide, insofar as moneys are appropriated for those
15 purposes, for matriculation and tuition fees, board, room
16 rent, books and supplies for the use and benefit of any natural
17 child, adopted child, minor child who is under a court-ordered
18 guardianship for at least 2 continuous years prior to
19 application, or step-child of an eligible veteran or
20 serviceperson, if the child is ~~children,~~ not under 10 and not
21 over 18 years of age, except extension of time may be granted
22 for a child to complete high school but in no event beyond the
23 19th birthday, who has ~~who have~~ for 12 months immediately

1 preceding his or her ~~their~~ application for these benefits had
2 his or her ~~their~~ domicile in the State of Illinois. The child
3 must provide proof of compliance with Illinois compulsory
4 attendance requirements as provided in Section 26-1 of the
5 School Code.

6 "Eligible veteran or serviceperson" means any veteran or
7 serviceperson, including an Illinois National Guard member,
8 who is on active duty or is active on a training assignment,
9 who has been declared by the U.S. Department of Defense or the
10 U.S. Department of Veterans Affairs to be a prisoner of war or
11 missing in action, or has died as the result of a
12 service-connected disability, or has become a person with a
13 permanent disability from service-connected causes with 100%
14 disability and who (i) at the time of entering service was an
15 Illinois resident, or (ii) was an Illinois resident within 6
16 months after entering such service, or (iii) is a resident of
17 Illinois at the time of application for the grant and, at some
18 point after entering such service, was a resident of Illinois
19 for at least 15 consecutive years. ~~, of World War I veterans~~
20 ~~who were killed in action or who died between April 6, 1917,~~
21 ~~and July 2, 1921, and of World War II veterans who were killed~~
22 ~~in action or died after December 6, 1941, and on or before~~
23 ~~December 31, 1946, and of Korean conflict veterans who were~~
24 ~~killed in action or died between June 27, 1950 and January 31,~~
25 ~~1955, and of Vietnam conflict veterans who were killed in~~
26 ~~action or died between January 1, 1961 and May 7, 1975, as a~~

1 ~~result of service in the Armed Forces of the United States or~~
2 ~~from other causes of World War I, World War II, the Korean~~
3 ~~conflict or the Vietnam conflict, who died, whether before or~~
4 ~~after the cessation of hostilities, from service-connected~~
5 ~~disability, and of any veterans who died during the induction~~
6 ~~periods specified below or died of a service connected~~
7 ~~disability incurred during such induction periods, such~~
8 ~~periods to be those beginning September 16, 1940, and ending~~
9 ~~December 6, 1941, and beginning January 1, 1947 and ending~~
10 ~~June 26, 1950 and the period beginning February 1, 1955, and~~
11 ~~ending on the day before the first day thereafter on which~~
12 ~~individuals (other than individuals liable for induction by~~
13 ~~reason of prior deferment) are no longer liable for induction~~
14 ~~for training and service into the Armed Forces under the~~
15 ~~Universal Military Training and Service Act, and beginning~~
16 ~~January 1, 1961 and ending May 7, 1975 and of any veterans who~~
17 ~~are persons with a total and permanent disability as a result~~
18 ~~of a service connected disability (or who died while a~~
19 ~~disability so evaluated was in existence); which children are~~
20 ~~attending or may attend a state or private educational~~
21 ~~institution of elementary or high school grade or a business~~
22 ~~college, vocational training school, or other educational~~
23 ~~institution in this State where courses of instruction are~~
24 ~~provided in subjects which would tend to enable such children~~
25 ~~to engage in any useful trade, occupation or profession. As~~
26 ~~used in this Act "service connected" means, with respect to~~

1 ~~disability or death, that such disability was incurred or~~
2 ~~aggravated, or that the death resulted from a disability~~
3 ~~incurred or aggravated, in the performance of active duty or~~
4 ~~active duty for training in the military services. Such~~
5 ~~children shall be admitted to state educational institutions~~
6 ~~free of tuition.~~ No more than \$250.00 may be paid under this
7 Act for any one child for any one school year.

8 (Source: P.A. 99-143, eff. 7-27-15.)

9 (330 ILCS 105/2) (from Ch. 126 1/2, par. 27)

10 Sec. 2. The amounts that become due to any ~~educational or~~
11 ~~training institution, or any~~ child under this Act, not in
12 excess of the amount specified in Section 1 of this Act, shall
13 be payable to such ~~institution or school or~~ child or, if such
14 child is a minor, to the eligible veteran or serviceperson ~~his~~
15 ~~parent~~ or guardian on vouchers approved by the Illinois
16 Department of Veterans' Affairs. The Illinois Department of
17 Veterans' Affairs shall adopt rules on how to render payments
18 to eligible minor children of deceased veterans or
19 servicepersons. ~~The~~ ~~Such~~ Department shall determine the
20 eligibility of the children who make application for the
21 benefits provided for in this Act; and satisfy itself of the
22 attendance of such children at any such institution or school
23 ~~and of the accuracy and reasonableness of the charge or~~
24 ~~charges submitted, on account of the attendance thereat of any~~
25 ~~such children.~~

1 (Source: P.A. 85-1440.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.