



Rep. Dave Vella

Filed: 3/29/2023

10300HB1368ham001

LRB103 05941 RJT 60140 a

1 AMENDMENT TO HOUSE BILL 1368

2 AMENDMENT NO. _____. Amend House Bill 1368 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Interest Attorney Assistance Act is
5 amended by changing Section 20 as follows:

6 (110 ILCS 916/20)

7 Sec. 20. Public Interest Attorney Loan Repayment
8 Assistance Program.

9 (a) The Commission shall establish and administer the
10 Program for the primary purpose of providing loan repayment
11 assistance to practicing attorneys to encourage them to pursue
12 careers as public interest attorneys to protect the rights of
13 this State's most vulnerable citizens or provide quality
14 enforcement of State law. The Commission shall create an
15 advisory committee composed of representatives from
16 organizations with relevant expertise, including one person

1 from each of the following entities:

2 (1) The Illinois State's Attorneys Association.

3 (2) The ~~An office of an~~ Illinois Public Defender
4 Association.

5 (3) An office of an Illinois public guardian.

6 (4) The Office of the Illinois Attorney General.

7 (5) An Illinois metropolitan bar association.

8 (6) An Illinois statewide bar association.

9 (7) A public law school in this State.

10 (b) The Public Interest Attorney Loan Repayment Assistance
11 Fund is created as a special fund in the State treasury. The
12 Fund shall consist of all moneys remitted to the Commission
13 under the terms of this Act. All money in the Fund shall be
14 used, subject to appropriation, by the Commission for the
15 purposes of this Act.

16 (c) Subject to the availability of appropriations and
17 subsections (d) and (e) of this Section, the Commission shall
18 distribute funds to eligible applicants.

19 (d) The Commission is authorized to prescribe all rules,
20 policies, and procedures necessary or convenient for the
21 administration of the Program and all terms and conditions
22 applicable to payments made under this Act. This shall be done
23 with the guidance and assistance of the Committee.

24 (e) The Commission shall administer the Program,
25 including, but not limited to, establishing and implementing
26 the following:

1 (1) An application process. Subject to the
2 availability of appropriations, the Commission shall, each
3 year, consider applications by eligible public interest
4 attorneys for loan repayment assistance under the Program.

5 (2) Eligibility requirements. The Commission shall, on
6 an annual basis, receive and consider applications for
7 loan repayment assistance under the Program if the
8 Commission finds that the applicant:

9 (i) is a citizen or permanent resident of the
10 United States;

11 (ii) is a licensed member of the Illinois Bar in
12 good standing;

13 (iii) has eligible debt in grace or repayment
14 status; and

15 (iv) is employed as a public interest attorney
16 with a qualifying employer in Illinois.

17 (3) A maximum amount of loan repayment assistance for
18 each participant, which shall be \$6,000 per year, up to a
19 maximum of \$30,000 during the participant's career.
20 However, if the participant has been an assistant Public
21 Defender for at least 4 years in one or more offices of an
22 Illinois Public Defender, and the participant graduated
23 from a law school in this State, then the maximum amount of
24 loan repayment assistance during the participant's career
25 shall be equal to the full tuition cost charged the
26 participant while attending that law school or \$30,000,

1 whichever is greater.

2 (4) Prioritization. The Commission shall develop
3 criteria for prioritization among eligible applicants in
4 the event that there are insufficient funds available to
5 make payments to all eligible applicants under this Act.
6 The prioritization criteria shall include the timeliness
7 of the application, the applicant's salary level, the
8 amount of the applicant's eligible debt, the availability
9 of other loan repayment assistance to the applicant, the
10 applicant's length of service as a public interest
11 attorney, and the applicant's prior participation in the
12 Program.

13 (f) The distribution of funds available after
14 administrative costs must be made by the Commission to
15 eligible public interest attorneys in the following manner:

16 (1) Loan repayment assistance must be in the form of a
17 forgivable loan.

18 (2) To have the loan forgiven, the participant shall
19 (i) complete a year of employment with a qualifying
20 employer and (ii) make educational debt payments (interest
21 or principal or both) that equal at least the amount of
22 assistance received under the Program during the
23 assistance year.

24 (3) Each loan must be documented by means of a
25 promissory note executed by the borrower in a form
26 provided by the Commission and shall be forgiven when an

1 eligible participant meets the requirements set forth by
2 the Commission.

3 (Source: P.A. 96-615, eff. 1-1-10; 96-768, eff. 1-1-10.)".