



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4363

Introduced 02/03/04, by Naomi D. Jakobsson

SYNOPSIS AS INTRODUCED:

| | |
|------------------|--------------------------|
| 105 ILCS 5/30-9 | from Ch. 122, par. 30-9 |
| 105 ILCS 5/30-10 | from Ch. 122, par. 30-10 |
| 105 ILCS 5/30-11 | from Ch. 122, par. 30-11 |
| 105 ILCS 5/30-12 | from Ch. 122, par. 30-12 |

Amends the School Code. Provides that after June 1, 2004 persons may not be nominated for General Assembly scholarships and that General Assembly scholarships may not be awarded after that date unless the nomination is made prior to that date. Prevents both second nominations for any lapsed General Assembly scholarship and nominating persons to the unused or unexpired parts of any vacated General Assembly scholarship after June 1, 2004. Effective immediately.

LRB093 18865 NHT 44600 b

FISCAL NOTE ACT
MAY APPLY

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 30-9, 30-10, 30-11, and 30-12 as follows:

6 (105 ILCS 5/30-9) (from Ch. 122, par. 30-9)

7 Sec. 30-9. General Assembly scholarship; conditions of
8 admission; award by competitive examination.

9 (a) The provisions of this subsection (a) are subject to
10 subsection (b).

11 Each member of the General Assembly may nominate annually 2
12 persons of school age and otherwise eligible, from his
13 district; each shall receive a certificate of scholarship in
14 any State supported university designated by the member. Any
15 member of the General Assembly in making nominations under this
16 Section may designate that his nominee be granted a 4 year
17 scholarship or may instead designate 2 or 4 nominees for that
18 particular scholarship, each to receive a 2 year or a one year
19 scholarship, respectively. The nominee, if a graduate of a
20 school accredited by the University to which nominated, shall
21 be admitted to the university on the same conditions as to
22 educational qualifications as are other graduates of
23 accredited schools. If the nominee is not a graduate of a
24 school accredited by the university to which nominated, he
25 must, before being entitled to the benefits of the scholarship,
26 pass an examination given by the superintendent of schools of
27 the county where he resides at the time stated in Section 30-7
28 for the competitive examination. The president of each
29 university shall prescribe the rules governing the examination
30 for scholarship to his university.

31 A member of the General Assembly may award the scholarship
32 by competitive examination conducted under like rules as

1 prescribed in Section 30-7 even though one or more of the
2 applicants are graduates of schools accredited by the
3 university.

4 A member of the General Assembly may delegate to the
5 Illinois Student Assistance Commission the authority to
6 nominate persons for General Assembly scholarships which that
7 member would otherwise be entitled to award, or may direct the
8 Commission to evaluate and make recommendations to the member
9 concerning candidates for such scholarships. In the event a
10 member delegates his nominating authority or directs the
11 Commission to evaluate and make recommendations concerning
12 candidates for General Assembly scholarships, the member shall
13 inform the Commission in writing of the criteria which he
14 wishes the Commission to apply in nominating or recommending
15 candidates. Those criteria may include some or all of the
16 criteria provided in Section 25 of the Higher Education Student
17 Assistance Act. A delegation of authority under this paragraph
18 may be revoked at any time by the member.

19 Failure of a member of the General Assembly to make a
20 nomination in any year shall not cause that scholarship to
21 lapse, but the member may make a nomination for such
22 scholarship at any time thereafter through June 1, 2004; before
23 ~~the expiration of his term,~~ and the person so nominated shall
24 be entitled to the same benefits as holders of other
25 scholarships provided herein. Any such scholarship for which a
26 member has made no nomination on or before June 1, 2004 ~~prior~~
27 ~~to the expiration of the term for which he was elected~~ shall
28 lapse upon the expiration of that term.

29 (b) After June 1, 2004 no person may be nominated to
30 receive any one-year, 2-year, 4-year, or other scholarship or
31 certificate of scholarship under this Section, nor may any such
32 scholarship be awarded under this Section after June 1, 2004,
33 unless the person was nominated prior to that date to receive
34 that scholarship.

35 (Source: P.A. 93-349, eff. 7-24-03.)

1 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

2 Sec. 30-10. Filing nominations-Failure to accept or
3 pass-Second nomination. Nominations that are made, under
4 Section 30-9 on or before June 1, 2004 and that show,~~showing~~
5 the name and address of the nominee, and the term of the
6 scholarship, whether 4 years, 2 years or one year, must be
7 filed with the State Superintendent of Education not later than
8 the opening day of the semester or term with which the
9 scholarship is to become effective. The State Superintendent of
10 Education shall forthwith notify the president of the
11 university of such nomination. No valid nomination to any
12 scholarship may be made under Section 30-9 after June 1, 2004.

13 If the nominee fails to accept the nomination or, not being
14 a graduate of a school accredited by the university, fails to
15 pass the examination for admission, the president of the
16 university shall at once notify the State Superintendent of
17 Education. Upon receiving such notification, the State
18 Superintendent of Education shall notify the nominating
19 member, who may, on or before, but not after June 1, 2004, name
20 another person for the scholarship. The second nomination must
21 be received by the State Superintendent of Education not later
22 than the middle of the semester or term with which the
23 scholarship was to have become effective under the original
24 nomination in order to become effective as of the opening date
25 of such semester or term otherwise it shall not become
26 effective until the beginning of the next semester or term
27 following the making of the second nomination, provided that
28 the second nomination must be made, if at all, on or before
29 June 1, 2004 or the scholarship shall be deemed to have lapsed
30 by operation of law. Upon receiving such notification of a
31 second nomination on or before June 1, 2004, the State
32 Superintendent of Education shall notify the president of the
33 university of such second nomination. If any person nominated
34 after the effective date of this amendatory Act of 1973 to
35 receive a General Assembly scholarship changes his residence to
36 a location outside of the district from which he was nominated,

1 his nominating member may terminate that scholarship at the
2 conclusion of the college year in which he is then enrolled,
3 but after June 1, 2004 no person may be nominated to receive or
4 otherwise be awarded all or any part of the scholarship that is
5 unused or unexpired at the time the scholarship is so
6 terminated. For purposes of this paragraph, a person changes
7 his residence if he registers to vote in a location outside of
8 the district from which he was nominated, but does not change
9 his residence merely by taking off-campus housing or living in
10 a nonuniversity residence.

11 (Source: P.A. 93-349, eff. 7-24-03.)

12 (105 ILCS 5/30-11) (from Ch. 122, par. 30-11)

13 Sec. 30-11. Failure to use scholarship - Further
14 nominations. If any nominee under Section 30-9 or 30-10
15 discontinues his course of instruction or fails to use the
16 scholarship, leaving 1, 2, 3, or 4 years thereof unused, the
17 member of the General Assembly may, except as otherwise
18 provided in this Article, nominate some other person eligible
19 under this Article from his district who shall be entitled to
20 the scholarship for the unexpired period thereof; provided that
21 the nomination for the unexpired period of the scholarship must
22 be made, if at all, on or before June 1, 2004 or the nomination
23 shall be invalid, and the scholarship and its unexpired period
24 shall be deemed to have lapsed by operation of law. ~~Such~~
25 ~~appointment to an unexpired scholarship vacated before July 1,~~
26 ~~1961, may be made only by the member of the General Assembly~~
27 ~~who made the original appointment and during the time he is~~
28 ~~such a member.~~ If a scholarship is vacated on or after July 1,
29 1961, and the member of the General Assembly who made the
30 original appointment has ceased to be a member, some eligible
31 person may be nominated in the following manner to fill the
32 vacancy: If the original appointment was made by a Senator,
33 such nomination shall be made by the Senator from the same
34 district; if the original appointment was made by a
35 Representative, such nomination shall be made by the

1 Representative from the same district. Every nomination to fill
2 a vacancy must be made on or before June 1, 2004 and
3 accompanied either by a release of the original nominee or if
4 he is dead then an affidavit to that effect by some competent
5 person. The failure of a nominee to register at the university
6 within 20 days after the opening of any semester or term shall
7 be deemed a release by him of the nomination, unless he has
8 been granted a leave of absence in accordance with Section
9 30-14 or unless his absence is by reason of his entry into the
10 military service of the United States. The university shall
11 immediately upon the expiration of 20 days after the beginning
12 of the semester or term notify the State Board of Education as
13 to the status of each scholarship, who shall forthwith notify
14 the nominating member of any nominee's failure to register or,
15 if the nominating member has ceased to be a member of the
16 General Assembly, shall notify the member or members entitled
17 to make the nomination to fill the vacancy. All nominations to
18 unused or unexpired scholarships, if made on or before June 1,
19 2004, shall be effective as of the opening of the semester or
20 term of the university during which they are made if they are
21 filed with the university during the first half of the semester
22 or term, otherwise they shall not be effective until the
23 opening of the next following semester or term; provided that
24 no nomination to an unused or unexpired scholarship is valid if
25 made after June 1, 2004, and an unused or unexpired scholarship
26 shall be deemed to have lapsed by operation of law unless the
27 nomination to that unused or unexpired scholarship is made on
28 or before June 1, 2004.

29 (Source: P.A. 93-349, eff. 7-24-03.)

30 (105 ILCS 5/30-12) (from Ch. 122, par. 30-12)

31 Sec. 30-12. Failure to begin or discontinuance of course
32 because of military service. Any nominee, under Sections 30-9,
33 30-10, or 30-11, who fails to begin or discontinues his course
34 of instruction because of his entry into the military service
35 of the United States, leaving all or a portion of the

1 scholarship unused, may, upon completion of such service, use
2 the scholarship or the unused portion thereof, regardless of
3 whether or not the member of the General Assembly who nominated
4 him is then a member; provided that during the nominee's period
5 of military service no other person may be nominated by such
6 member to all or any portion of such unused or unfinished
7 scholarship unless the nomination is accompanied either by a
8 release of the original nominee or if he is dead then an
9 affidavit to that effect by some competent person and unless
10 the nomination is made on or before June 1, 2004.

11 (Source: Laws 1961, p. 31.)

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