



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/5/2004, by John M. Sullivan

**SYNOPSIS AS INTRODUCED:**

110 ILCS 947/45

Amends the Higher Education Student Assistance Act. Provides that if the recipient of an Illinois National Guard Grant ceases to be a member of the Illinois National Guard while enrolled in a course of study under that grant but (i) has served in the Illinois National Guard for at least 5 years and (ii) has served a cumulative total of at least 6 months of active duty, then that recipient shall continue to be eligible for a grant for one year after membership in the Illinois National Guard ended, provided that the recipient has not already received the exemption from tuition and fees for the equivalent of 4 years of full-time enrollment. Effective immediately.

LRB093 20875 NHT 46823 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning higher 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 45 as follows:

6 (110 ILCS 947/45)

7 Sec. 45. Illinois National Guard grant program.

8 (a) As used in this Section:

9 "State controlled university or community college" means  
10 those institutions under the administration of the Chicago  
11 State University Board of Trustees, the Eastern Illinois  
12 University Board of Trustees, the Governors State University  
13 Board of Trustees, the Illinois State University Board of  
14 Trustees, the Northeastern Illinois University Board of  
15 Trustees, the Northern Illinois University Board of Trustees,  
16 the Western Illinois University Board of Trustees, Southern  
17 Illinois University Board of Trustees, University of Illinois  
18 Board of Trustees, or the Illinois Community College Board.

19 "Tuition and fees" shall not include expenses for any  
20 sectarian or denominational instruction, the construction or  
21 maintenance of sectarian or denominational facilities, or any  
22 other sectarian or denominational purposes or activity.

23 "Fees" means matriculation, graduation, activity, term, or  
24 incidental fees. Exemption shall not be granted from any other  
25 fees, including book rental, service, laboratory, supply, and  
26 union building fees, hospital and medical insurance fees, and  
27 any fees established for the operation and maintenance of  
28 buildings, the income of which is pledged to the payment of  
29 interest and principal on bonds issued by the governing board  
30 of any university or community college.

31 (b) Any enlisted person or any company grade officer,  
32 including warrant officers, First and Second Lieutenants, and

1 Captains in the Army and Air National Guard, who has served at  
2 least one year in the Illinois National Guard and who possesses  
3 all necessary entrance requirements shall, upon application  
4 and proper proof, be awarded a grant to the State-controlled  
5 university or community college of his or her choice,  
6 consisting of exemption from tuition and fees for not more than  
7 the equivalent of 4 years of full-time enrollment in relation  
8 to his or her course of study at that State controlled  
9 university or community college while he or she is a member of  
10 the Illinois National Guard. Except as otherwise provided in  
11 this Section, if ~~if~~ the recipient of any grant awarded under  
12 this Section ceases to be a member of the Illinois National  
13 Guard while enrolled in a course of study under that grant, the  
14 grant shall be terminated as of the date membership in the  
15 Illinois National Guard ended, and the recipient shall be  
16 permitted to complete the school term in which he or she is  
17 then enrolled only upon payment of tuition and other fees  
18 allocable to the part of the term then remaining. If the  
19 recipient of a grant awarded under this Section ceases to be a  
20 member of the Illinois National Guard while enrolled in a  
21 course of study under that grant but (i) has served in the  
22 Illinois National Guard for at least 5 years and (ii) has  
23 served a cumulative total of at least 6 months of active duty,  
24 then that recipient shall continue to be eligible for a grant  
25 for one year after membership in the Illinois National Guard  
26 ended, provided that the recipient has not already received the  
27 exemption from tuition and fees for the equivalent of 4 years  
28 of full-time enrollment under this Section. If the recipient of  
29 the grant fails to complete his or her military service  
30 obligations or requirements for satisfactory participation,  
31 the Department of Military Affairs shall require the recipient  
32 to repay the amount of the grant received, prorated according  
33 to the fraction of the service obligation not completed, and,  
34 if applicable, reasonable collection fees. The Department of  
35 Military Affairs may adopt rules relating to its collection  
36 activities for repayment of the grant under this Section.

1 Unsatisfactory participation shall be defined by rules adopted  
2 by the Department of Military Affairs. Repayments shall be  
3 deposited in the National Guard Grant Fund. The National Guard  
4 Grant Fund is created as a special fund in the State treasury.  
5 All money in the National Guard Grant Fund shall be used,  
6 subject to appropriation, by the Department of Military Affairs  
7 for the purposes of this Section.

8 A grant awarded under this Section shall be considered an  
9 entitlement which the State-controlled university or community  
10 college in which the holder is enrolled shall honor without any  
11 condition other than the holder's maintenance of minimum grade  
12 levels and a satisfactory student loan repayment record  
13 pursuant to subsection (c) of Section 20 of this Act.

14 (c) Subject to a separate appropriation for such purposes,  
15 the Commission may reimburse the State-controlled university  
16 or community college for grants authorized by this Section.

17 (Source: P.A. 92-589, eff. 7-1-02.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.