



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4606

by Rep. Milton Patterson

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 5/30-12.5 | |
| 105 ILCS 5/30-13 | from Ch. 122, par. 30-13 |
| 105 ILCS 5/30-14 | from Ch. 122, par. 30-14 |

Amends the School Code. Provides that a General Assembly scholarship may be used at a trade school located in the State, not just a State university.

LRB095 17994 RAS 44077 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 Section
5 30-9, 30-10, 30-11, 30-12.5, 30-13, and 30-14 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 Each member of the General Assembly may nominate annually 2
10 persons of school age and otherwise eligible, from his or her
11 district; each shall receive a certificate of scholarship in
12 any State supported university or any trade school located
13 within the State, as defined by rule of the Illinois Student
14 Assistance Commission, designated by the member. Any member of
15 the General Assembly in making nominations under this Section
16 may designate that his or her 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 for a university, if a
20 graduate of a school accredited by the University to which
21 nominated, shall be admitted to the university on the same
22 conditions as to educational qualifications as are other
23 graduates of accredited schools. If the nominee is not a

1 graduate of a school accredited by the university to which
2 nominated, he or she must, before being entitled to the
3 benefits of the scholarship, pass an examination given by the
4 superintendent of schools of the county where he or she resides
5 at the time stated in Section 30-7 for the competitive
6 examination. The president of each university shall prescribe
7 the rules governing the examination for scholarship to his or
8 her university.

9 A member of the General Assembly may award the scholarship
10 by competitive examination conducted under like rules as
11 prescribed in Section 30-7 even though one or more of the
12 applicants are graduates of schools accredited by the
13 university.

14 A member of the General Assembly may delegate to the
15 Illinois Student Assistance Commission the authority to
16 nominate persons for General Assembly scholarships which that
17 member would otherwise be entitled to award, or may direct the
18 Commission to evaluate and make recommendations to the member
19 concerning candidates for such scholarships. In the event a
20 member delegates his or her nominating authority or directs the
21 Commission to evaluate and make recommendations concerning
22 candidates for General Assembly scholarships, the member shall
23 inform the Commission in writing of the criteria which he or
24 she wishes the Commission to apply in nominating or
25 recommending candidates. Those criteria may include some or all
26 of the criteria provided in Section 25 of the Higher Education

1 Student Assistance Act. A delegation of authority under this
2 paragraph may be revoked at any time by the member.

3 Failure of a member of the General Assembly to make a
4 nomination in any year shall not cause that scholarship to
5 lapse, but the member may make a nomination for such
6 scholarship at any time thereafter before the expiration of his
7 or her term, and the person so nominated shall be entitled to
8 the same benefits as holders of other scholarships provided
9 herein. Any such scholarship for which a member has made no
10 nomination prior to the expiration of the term for which he or
11 she was elected shall lapse upon the expiration of that term.
12 (Source: P.A. 93-349, eff. 7-24-03.)

13 (105 ILCS 5/30-10) (from Ch. 122, par. 30-10)

14 Sec. 30-10. Filing nominations-Failure to accept or
15 pass-Second nomination.

16 Nominations, under Section 30-9, showing the name and
17 address of the nominee, and the term of the scholarship,
18 whether 4 years, 2 years or one year, must be filed with the
19 State Superintendent of Education not later than the opening
20 day of the semester or term with which the scholarship is to
21 become effective. The State Superintendent of Education shall
22 forthwith notify the president of the university or trade
23 school of such nomination.

24 If the nominee fails to accept the nomination or, not being
25 a graduate of a school accredited by the university, if he or

1 she is a nominee for a university, fails to pass the
2 examination for admission, the president of the university or
3 trade school shall at once notify the State Superintendent of
4 Education. Upon receiving such notification, the State
5 Superintendent of Education shall notify the nominating
6 member, who may name another person for the scholarship. The
7 second nomination must be received by the State Superintendent
8 of Education not later than the middle of the semester or term
9 with which the scholarship was to have become effective under
10 the original nomination in order to become effective as of the
11 opening date of such semester or term otherwise it shall not
12 become effective until the beginning of the next semester or
13 term following the making of the second nomination. Upon
14 receiving such notification, the State Superintendent of
15 Education shall notify the president of the university or trade
16 school of such second nomination. If any person nominated after
17 the effective date of this amendatory Act of 1973 to receive a
18 General Assembly scholarship changes his or her residence to a
19 location outside of the district from which he or she was
20 nominated, his or her nominating member may terminate that
21 scholarship at the conclusion of the college year in which he
22 or she is then enrolled. For purposes of this paragraph, a
23 person changes his or her residence if he or she registers to
24 vote in a location outside of the district from which he or she
25 was nominated, but does not change his or her residence merely
26 by taking off-campus housing or living in a nonuniversity

1 residence.

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

3 (105 ILCS 5/30-11) (from Ch. 122, par. 30-11)

4 Sec. 30-11. Failure to use scholarship - Further
5 nominations. If any nominee under Section 30-9 or 30-10
6 discontinues his or her course of instruction or fails to use
7 the scholarship, leaving 1, 2, 3, or 4 years thereof unused,
8 the member of the General Assembly may, except as otherwise
9 provided in this Article, nominate some other person eligible
10 under this Article from his or her district who shall be
11 entitled to the scholarship for the unexpired period thereof.
12 Such appointment to an unexpired scholarship vacated before
13 July 1, 1961, may be made only by the member of the General
14 Assembly who made the original appointment and during the time
15 he or she is such a member. If a scholarship is vacated on or
16 after July 1, 1961, and the member of the General Assembly who
17 made the original appointment has ceased to be a member, some
18 eligible person may be nominated in the following manner to
19 fill the vacancy: If the original appointment was made by a
20 Senator, such nomination shall be made by the Senator from the
21 same district; if the original appointment was made by a
22 Representative, such nomination shall be made by the
23 Representative from the same district. Every nomination to fill
24 a vacancy must be accompanied either by a release of the
25 original nominee or if he or she is dead then an affidavit to

1 that effect by some competent person. The failure of a nominee
2 to register at the university or trade school within 20 days
3 after the opening of any semester or term shall be deemed a
4 release by him of the nomination, unless he or she has been
5 granted a leave of absence in accordance with Section 30-14 or
6 unless his or her absence is by reason of his or her entry into
7 the military service of the United States. The university or
8 trade school shall immediately upon the expiration of 20 days
9 after the beginning of the semester or term notify the State
10 Board of Education as to the status of each scholarship, who
11 shall forthwith notify the nominating member of any nominee's
12 failure to register or, if the nominating member has ceased to
13 be a member of the General Assembly, shall notify the member or
14 members entitled to make the nomination to fill the vacancy.
15 All nominations to unused or unexpired scholarships shall be
16 effective as of the opening of the semester or term of the
17 university or trade school during which they are made if they
18 are filed with the university or trade school during the first
19 half of the semester or term, otherwise they shall not be
20 effective until the opening of the next following semester or
21 term.

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

23 (105 ILCS 5/30-12.5)

24 Sec. 30-12.5. Waiver of confidentiality.

25 (a) As a condition of nomination for a General Assembly

1 scholarship under Section 30-9, 30-10, or 30-11, each nominee
2 shall provide to the member of the General Assembly making the
3 nomination a waiver document stating that, notwithstanding any
4 provision of law to the contrary, if the nominee receives a
5 General Assembly scholarship, then the nominee waives all
6 rights to confidentiality with respect to the contents of the
7 waiver document. The waiver document shall state at a minimum
8 the nominee's name, domicile address, attending university or
9 trade school, degree program in which the nominee is enrolled,
10 amount of tuition waived by the legislative scholarship and the
11 name of the member of the General Assembly who is making the
12 nomination. The waiver document shall also contain a statement
13 by the nominee that, at the time of the nomination for the
14 legislative scholarship, the domicile of the nominee is within
15 the legislative district of the legislator making the
16 scholarship nomination. The waiver document must be signed by
17 the nominee, and the nominee shall have his or her signature on
18 the waiver document acknowledged before a notary public. The
19 member of the General Assembly making the nomination shall file
20 the signed, notarized waiver document, together with the
21 nomination itself, with the State Superintendent of Education.
22 By so filing the waiver document, the member waives all his or
23 her rights to confidentiality with respect to the contents of
24 the waiver document.

25 (b) The legislative scholarship of any nominee shall be
26 revoked upon a determination by the State Board of Education

1 after a hearing that the nominee knowingly provided false or
2 misleading information on the waiver document. Upon revocation
3 of the legislative scholarship, the scholarship nominee shall
4 reimburse the university or trade school for the full amount of
5 any tuition waived prior to revocation of the scholarship.

6 (c) The Illinois Student Assistance Commission shall
7 prepare a form waiver document to be used as provided in
8 subsection (a) and shall provide copies of the form upon
9 request.

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

11 (105 ILCS 5/30-13) (from Ch. 122, par. 30-13)

12 Sec. 30-13. The scholarships issued under Sections 30-9
13 through 30-12 of this Article may be used at the University of
14 Illinois, Southern Illinois University, Chicago State
15 University, Eastern Illinois University, Governors State
16 University, Illinois State University, Northeastern Illinois
17 University, Northern Illinois University, ~~and~~ Western Illinois
18 University, or any trade school located in this State, as
19 provided in those sections. Unless otherwise indicated, these
20 scholarships shall be good for a period of not more than 4
21 years while enrolled for residence credit and shall exempt the
22 holder from the payment of tuition, or any matriculation,
23 graduation, activity, term or incidental fee, except any
24 portion of a multipurpose fee which is used for a purpose for
25 which exemption is not granted under this Section. Exemption

1 shall not be granted from any other fees, including book
2 rental, service, laboratory, supply, union building, hospital
3 and medical insurance fees and any fees established for the
4 operation and maintenance of buildings, the income of which is
5 pledged to the payment of interest and principal on bonds
6 issued by the governing board of any university or community
7 college.

8 Any student who has been or shall be awarded a scholarship
9 shall be reimbursed by the appropriate university or community
10 college for any fees which he or she has paid and for which
11 exemption is granted under this Section, if application for
12 such reimbursement is made within 2 months following the school
13 term for which the fees were paid.

14 The holder of a scholarship shall be subject to all
15 examinations, rules and requirements of the university or
16 community college in which he or she is enrolled except as
17 herein directed.

18 This article does not prohibit the Board of Trustees of the
19 University of Illinois, the Board of Trustees of Southern
20 Illinois University, the Board of Trustees of Chicago State
21 University, the Board of Trustees of Eastern Illinois
22 University, the Board of Trustees of Governors State
23 University, the Board of Trustees of Illinois State University,
24 the Board of Trustees of Northern Illinois University, the
25 Board of Trustees of Western Illinois University ~~the Board of~~
26 ~~Regents of the Regency Universities System and the Board of~~

1 ~~Governors of State Colleges and Universities~~ for the
2 institutions under their respective jurisdictions, or the
3 administrative authority of a trade school located in this
4 State, from granting other scholarships.

5 (Source: P.A. 88-228; 89-4, eff. 1-1-96.)

6 (105 ILCS 5/30-14) (from Ch. 122, par. 30-14)

7 Sec. 30-14. Leaves of absence to holders of scholarships.

8 Any student enrolled in a university or trade school to
9 which he or she is holding a scholarship issued under this
10 Article who satisfies the president of the university or trade
11 school or someone designated by him or her, that he or she
12 requires leave of absence for the purpose of earning funds to
13 defray his or her expenses while in attendance or on account of
14 illness or military service may be granted such leave and
15 allowed a period of not to exceed 6 years in which to complete
16 his or her course at the university or trade school. The
17 university or trade school shall notify the county
18 superintendent of the county from which the scholarship was
19 issued of the granting of the leave. Time spent in the armed
20 forces shall not be part of the 6 years.

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