



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5205

Introduced 2/3/2010, by Rep. Dan Brady

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/30-14.2

from Ch. 122, par. 30-14.2

Amends the School Code with respect to MIA/POW scholarships. Provides that, for the purposes of the definition of "eligible veteran or serviceperson", a person shall be deemed to have entered service as an Illinois resident if he or she entered service while a resident of another state, left that service and became a resident of this State, and joined the Illinois National Guard or the reserves of the armed forces of the United States while a resident of this State. Effective immediately.

LRB096 16143 MJR 31393 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 30-14.2 as follows:

6 (105 ILCS 5/30-14.2) (from Ch. 122, par. 30-14.2)  
7 Sec. 30-14.2. MIA/POW scholarships.

8 (a) Any spouse, natural child, legally adopted child, or  
9 any step-child of an eligible veteran or serviceperson who  
10 possesses all necessary entrance requirements shall, upon  
11 application and proper proof, be awarded a MIA/POW Scholarship  
12 consisting of the equivalent of 4 calendar years of full-time  
13 enrollment including summer terms, to the state supported  
14 Illinois institution of higher learning of his choice, subject  
15 to the restrictions listed below.

16 "Eligible veteran or serviceperson" means any veteran or  
17 serviceperson, including an Illinois National Guard member who  
18 is on active duty or is active on a training assignment, who  
19 has been declared by the U. S. Department of Defense or the  
20 U.S. Department of Veterans' Affairs to be a prisoner of war,  
21 be missing in action, have died as the result of a  
22 service-connected disability or be permanently disabled from  
23 service-connected causes with 100% disability and who at the

1 time of entering service was an Illinois resident or was an  
2 Illinois resident within 6 months of entering such service. For  
3 the purposes of this definition, a person shall be deemed to  
4 have entered service as an Illinois resident if he or she  
5 entered service while a resident of another state, left that  
6 service and became a resident of this State, and joined the  
7 Illinois National Guard or the reserves of the armed forces of  
8 the United States while a resident of this State.

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

15 Scholarships awarded under this Section may be used by a  
16 spouse or child without regard to his or her age. The holder of  
17 a Scholarship awarded under this Section shall be subject to  
18 all examinations and academic standards, including the  
19 maintenance of minimum grade levels, that are applicable  
20 generally to other enrolled students at the Illinois  
21 institution of higher learning where the Scholarship is being  
22 used. If the surviving spouse remarries or if there is a  
23 divorce between the veteran or serviceperson and his or her  
24 spouse while the dependent is pursuing his or her course of  
25 study, Scholarship benefits will be terminated at the end of  
26 the term for which he or she is presently enrolled. Such

1 dependents shall also be entitled, upon proper proof and  
2 application, to enroll in any extension course offered by a  
3 State supported Illinois institution of higher learning  
4 without payment of tuition and approved fees.

5 The holder of a MIA/POW Scholarship authorized under this  
6 Section shall not be required to pay any matriculation or  
7 application fees, tuition, activities fees, graduation fees or  
8 other fees, except multipurpose building fees or similar fees  
9 for supplies and materials.

10 Any dependent who has been or shall be awarded a MIA/POW  
11 Scholarship shall be reimbursed by the appropriate institution  
12 of higher learning for any fees which he or she has paid and  
13 for which exemption is granted under this Section if  
14 application for reimbursement is made within 2 months following  
15 the end of the school term for which the fees were paid.

16 (b) In lieu of the benefit provided in subsection (a), any  
17 spouse, natural child, legally adopted child, or step-child of  
18 an eligible veteran or serviceperson, which spouse or child has  
19 a physical, mental or developmental disability, shall be  
20 entitled to receive, upon application and proper proof, a  
21 benefit to be used for the purpose of defraying the cost of the  
22 attendance or treatment of such spouse or child at one or more  
23 appropriate therapeutic, rehabilitative or educational  
24 facilities. The application and proof may be made by the parent  
25 or legal guardian of the spouse or child on his or her behalf.

26 The total benefit provided to any beneficiary under this

1 subsection shall not exceed the cost equivalent of 4 calendar  
2 years of full-time enrollment, including summer terms, at the  
3 University of Illinois. Whenever practicable in the opinion of  
4 the Department of Veterans' Affairs, payment of benefits under  
5 this subsection shall be made directly to the facility, the  
6 cost of attendance or treatment at which is being defrayed, as  
7 such costs accrue.

8 (c) The benefits of this Section shall be administered by  
9 and paid for out of funds made available to the Illinois  
10 Department of Veterans' Affairs. The amounts that become due to  
11 any state supported Illinois institution of higher learning  
12 shall be payable by the Comptroller to such institution on  
13 vouchers approved by the Illinois Department of Veterans'  
14 Affairs. The amounts that become due under subsection (b) of  
15 this Section shall be payable by warrant upon vouchers issued  
16 by the Illinois Department of Veterans' Affairs and approved by  
17 the Comptroller. The Illinois Department of Veterans' Affairs  
18 shall determine the eligibility of the persons who make  
19 application for the benefits provided for in this Section.

20 (Source: P.A. 93-825, eff. 7-28-04.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.