

# HB5070



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5070

Introduced 2/7/2012, by Rep. Daniel Biss

#### SYNOPSIS AS INTRODUCED:

110 ILCS 947/40

Amends the Higher Education Student Assistance Act. In order to qualify for an Illinois Veteran grant, requires any assistance a person is eligible to receive under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or the federal Post-9/11 Veterans Educational Assistance Improvements Act of 2010 to be exhausted. Effective July 1, 2013.

LRB097 16283 NHT 61437 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 Higher Education Student Assistance Act is  
5 amended by changing Section 40 as follows:

6 (110 ILCS 947/40)

7 Sec. 40. Illinois Veteran grant program.

8 (a) As used in this Section:

9 "Qualified applicant" means a person who served in the  
10 Armed Forces of the United States, a Reserve component of the  
11 Armed Forces, or the Illinois National Guard, excluding members  
12 of the Reserve Officers' Training Corps and those whose only  
13 service has been attendance at a service academy, and who meets  
14 all of the following qualifications:

15 (1) At the time of entering federal active duty service  
16 the person was one of the following:

17 (A) An Illinois resident.

18 (B) An Illinois resident within 6 months of  
19 entering such service.

20 (C) Enrolled at a State-controlled university or  
21 public community college in this State.

22 (2) The person meets one of the following requirements:

23 (A) He or she served at least one year of federal

1 active duty.

2 (B) He or she served less than one year of federal  
3 active duty and received an honorable discharge for  
4 medical reasons directly connected with such service.

5 (C) He or she served less than one year of federal  
6 active duty and was discharged prior to August 11,  
7 1967.

8 (D) He or she served less than one year of federal  
9 active duty in a foreign country during a time of  
10 hostilities in that foreign country.

11 (3) The person received an honorable discharge after  
12 leaving each period of federal active duty service.

13 (4) The person returned to this State within 6 months  
14 after leaving federal active duty service, or, if married  
15 to a person in continued military service stationed outside  
16 this State, returned to this State within 6 months after  
17 his or her spouse left service or was stationed within this  
18 State.

19 (5) Any assistance the person is eligible to receive  
20 under the federal Post-9/11 Veterans Educational  
21 Assistance Act of 2008 or the federal Post-9/11 Veterans  
22 Educational Assistance Improvements Act of 2010 has been  
23 exhausted.

24 "Time of hostilities" means any action by the Armed Forces  
25 of the United States that is recognized by the issuance of a  
26 Presidential proclamation or a Presidential executive order

1 and in which the Armed Forces expeditionary medal or other  
2 campaign service medals are awarded according to Presidential  
3 executive order.

4 (b) A person who otherwise qualifies under subsection (a)  
5 of this Section but has not left federal active duty service  
6 and has served at least one year of federal active duty or has  
7 served for less than one year of federal active duty in a  
8 foreign country during a time of hostilities in that foreign  
9 country and who can provide documentation demonstrating an  
10 honorable service record is eligible to receive assistance  
11 under this Section.

12 (c) A qualified applicant is not required to pay any  
13 tuition or mandatory fees while attending a State-controlled  
14 university or public community college in this State for a  
15 period that is equivalent to 4 years of full-time enrollment,  
16 including summer terms.

17 A qualified applicant who has previously received benefits  
18 under this Section for a non-mandatory fee shall continue to  
19 receive benefits covering such fees while he or she is enrolled  
20 in a continuous program of study. The qualified applicant shall  
21 no longer receive a grant covering non-mandatory fees if he or  
22 she fails to enroll during an academic term, unless he or she  
23 is serving federal active duty service.

24 (d) A qualified applicant who has been or is to be awarded  
25 assistance under this Section shall receive that assistance if  
26 the qualified applicant notifies his or her postsecondary

1 institution of that fact by the end of the school term for  
2 which assistance is requested.

3 (e) Assistance under this Section is considered an  
4 entitlement that the State-controlled college or public  
5 community college in which the qualified applicant is enrolled  
6 shall honor without any condition other than the qualified  
7 applicant's maintenance of minimum grade levels and a  
8 satisfactory student loan repayment record pursuant to  
9 subsection (c) of Section 20 of this Act.

10 (f) The Commission shall administer the grant program  
11 established by this Section and shall make all necessary and  
12 proper rules not inconsistent with this Section for its  
13 effective implementation.

14 (g) All applications for assistance under this Section must  
15 be made to the Commission on forms that the Commission shall  
16 provide. The Commission shall determine the form of application  
17 and the information required to be set forth in the  
18 application, and the Commission shall require qualified  
19 applicants to submit with their applications any supporting  
20 documents that the Commission deems necessary. Upon request,  
21 the Department of Veterans' Affairs shall assist the Commission  
22 in determining the eligibility of applicants for assistance  
23 under this Section.

24 (h) Assistance under this Section is available as long as  
25 the federal government provides educational benefits to  
26 veterans. Assistance must not be paid under this Section after

1 6 months following the termination of educational benefits to  
2 veterans by the federal government, except for persons who  
3 already have begun their education with assistance under this  
4 Section. If the federal government terminates educational  
5 benefits to veterans and at a later time resumes those  
6 benefits, assistance under this Section shall resume.

7 (Source: P.A. 94-583, eff. 8-15-05.)

8 Section 99. Effective date. This Act takes effect July 1,  
9 2013.