

1 AN ACT with regard to higher education student
2 assistance.

3 Be it enacted by the People of the State of Illinois,
4 represented in the General Assembly:

5 Section 5. The Higher Education Student Assistance Act
6 is amended by changing Section 40 as follows:

7 (110 ILCS 947/40)

8 Sec. 40. Veteran grant.

9 (a) Any person who served in the armed forces of the
10 United States, not including members of the Student Army
11 Training Corps, who at the time of entering service was an
12 Illinois resident or was an Illinois resident within 6 months
13 of entering such service, and who returned to Illinois within
14 6 months after leaving service or, if married to a person in
15 continued military service stationed outside Illinois, within
16 6 months after his or her spouse has left service or has been
17 stationed within Illinois, and who has been honorably
18 discharged from such service, and who possesses all necessary
19 entrance requirements shall, except as otherwise provided in
20 this Act, upon application and proper proof, be awarded an
21 Illinois Veteran Grant consisting of the equivalent of 4
22 calendar years of full-time enrollment, including summer
23 terms, to the State-controlled college or university or
24 community college of his choice. Such veterans shall also be
25 entitled, upon proper proof and application, to enroll in any
26 extension course offered by a State-controlled college or
27 university or community college without the payment of
28 tuition or fees.

29 Any veteran who so served, and who, at the time of
30 entering such service, was a student at a State-controlled
31 college or university or community college, and who was

1 honorably discharged from such service, shall, upon
2 application and proper proof be awarded a Veteran Grant
3 entitling him to complete his course of study at any
4 State-controlled college or university or community college
5 of his choice, but shall not be entitled to a grant
6 consisting of more than the equivalent of 4 calendar years of
7 full-time enrollment including summer sessions.

8 Any member of the armed forces of the United States who
9 either (i) has served in such armed forces at least one year,
10 or (ii) has served in the armed forces of the United States
11 for less than one year in a time of hostilities in a foreign
12 country, and who would be qualified for a grant under this
13 Section if he had been discharged from such service shall be
14 eligible to receive a Veteran Grant under this Section.

15 The holder of a Veteran Grant to the State-controlled
16 college or university or community college of his choice as
17 authorized under this Section shall not be required to pay
18 any matriculation or application fees, tuition, activities
19 fees, graduation fees, or other fees except multipurpose
20 building fees or similar fees for supplies and materials.

21 Any veteran who has been or shall be awarded a Veteran
22 Grant shall be reimbursed by the appropriate college,
23 university, or community college for any fees which he has
24 paid and for which exemption is granted under this Section,
25 if application for reimbursement is made within 2 months
26 following the school term for which the fees were paid.

27 A Veteran Grant shall be considered an entitlement which
28 the State-controlled college or university or community
29 college in which the holder is enrolled shall honor without
30 any condition other than the holder's maintenance of minimum
31 grade levels and a satisfactory student loan repayment record
32 pursuant to subsection (c) of Section 20.

33 A grant authorized under this Section shall not be
34 awarded to veterans who received a discharge from the armed

1 forces of the United States under dishonorable conditions, or
2 to any veteran whose service with the armed forces was for
3 less than one year unless he received an honorable discharge
4 from such service for medical reasons directly connected with
5 such service, except for those veterans discharged prior to
6 August 11, 1967 whose service may be for less than one year,
7 and except for those veterans (i) who serve in the armed
8 forces of the United States for less than one year in a time
9 of hostilities in a foreign country and (ii) who receive an
10 honorable discharge.

11 The amounts that become due to any State-controlled
12 college or university or community college shall be payable
13 by the Comptroller to that institution on vouchers approved
14 by the Commission. The Commission, or its designated
15 representative at that institution, shall determine the
16 eligibility of the persons who make application for the
17 benefits provided for in this Section. The Department of
18 Veterans' Affairs shall assist the Commission in determining
19 the eligibility of applicants. On July 29, 1986, the
20 Illinois Department of Veterans' Affairs shall transfer and
21 deliver to the Commission all books, records, papers,
22 documents, applications and pending business in any way
23 pertaining to the duties, responsibilities and authority
24 theretofore exercised or performed by the Illinois Department
25 of Veterans' Affairs under and pursuant to Section 4.1 of the
26 Department of Veterans Affairs Act.

27 The benefits provided for in this Section shall be
28 available as long as the federal government provides
29 educational benefits to veterans. No benefits shall be paid
30 under this Section, except for veterans who already have
31 begun their education under this Section, after 6 months
32 following the termination of educational benefits to veterans
33 by the federal government. If the federal government
34 terminates educational benefits to veterans and at a later

1 time resumes those benefits, the benefits of this Section
2 shall resume.

3 As used in this Section, "time of hostilities in a
4 foreign country" means any action by the armed forces of the
5 United States that is recognized by the issuance of a
6 Presidential proclamation or a Presidential executive order
7 and in which the armed forces expeditionary medal or other
8 campaign service medals are awarded according to Presidential
9 executive order.

10 (b) If a veteran (i) served in the armed forces of the
11 United States on or after January 1, 1962, (ii) was eligible
12 to receive a Veteran Grant under this Section, and (iii) did
13 not use and does not intend to use the Veteran Grant for the
14 full equivalent of 4 calendar years of full-time enrollment,
15 including summer terms, then a natural or adopted child of
16 that veteran may use the unused portion of that amount, upon
17 application and subject to the requirements established under
18 this subsection (b). More than one child of the veteran may
19 share the unused portion by dividing the unused portion among
20 themselves.

21 The child is entitled to the same benefits provided to
22 veterans under this Section if the child meets all of the
23 following requirements:

24 (1) The child is below the age of 26 years.

25 (2) The child is a resident of this State.

26 (3) The child possesses all of the necessary
27 entrance requirements.

28 (4) The child maintains the same minimum grade
29 levels and satisfactory student loan repayment record
30 that a veteran who is awarded a Veteran Grant must
31 maintain.

32 The Commission may adopt any rules necessary to implement
33 and administer this subsection (b).

34 (Source: P.A. 90-752, eff. 8-14-98; 91-496, eff. 8-13-99.)

1 Section 99. Effective date. This Act takes effect on
2 January 1, 2002.