

AN ACT concerning education.

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

Section 5. The State Finance Act is amended by adding Section 5.990 as follows:

(30 ILCS 105/5.990 new)

Sec. 5.990. The MAP Refund Fund.

Section 10. The Private College Act is amended by adding Section 14.15 as follows:

(110 ILCS 1005/14.15 new)

Sec. 14.15. Unfair, misleading, or deceptive practice finding; refund; grant.

(a) In this Section, "unfair, misleading, or deceptive practice" means an act or practice in which a representation, omission, or practice misleads or is likely to mislead a consumer, as determined by the Federal Trade Commission, the United States Department of Education, or the United States Bureau of Consumer Financial Protection in a court of competent jurisdiction.

(b) This Section applies to a for-profit, post-secondary educational institution that received monetary award program

funds under Section 35 of the Higher Education Student Assistance Act at a time the institution was found to have been using an unfair, misleading, or deceptive practice, as defined by the Federal Trade Commission, the United States Department of Education, or the United States Bureau of Consumer Financial Protection, and is required to reimburse students for loans taken to pay for the students' education in accordance with a final judgment against the institution issued by a court of competent jurisdiction, based on acts occurring at least 6 months after the effective date of this amendatory Act of the 103rd General Assembly. Any monetary award program funds paid to the for-profit, post-secondary educational institution for students who attended the institution during the period of judgment must be refunded to the Illinois Student Assistance Commission.

(c) If a post-secondary educational institution is required to issue a refund to the Illinois Student Assistance Commission under this Section, the refund shall be deposited into the MAP Refund Fund. The Commission shall use funds appropriated from the MAP Refund Fund to award grants to students as provided in this Section. A post-secondary educational institution required to issue a refund to the Illinois Student Assistance Commission under this Section must notify the Illinois Student Assistance Commission within 30 days after a final judgment issued by a court of competent jurisdiction, and issue the refund within 6 months. A

for-profit, post-secondary educational institution with a judgment against it must notify students who attended the post-secondary educational institution during the period of judgment and received monetary award program funds, electronically and by certified mail, within 6 months after issuance of the refund to the Illinois Student Assistance Commission.

(d) The Commission shall make applications for grants under subsection (c) available in the next academic year after the deposit of funds into the MAP Refund Fund or as soon as is practicable. The application process shall be administered by the Commission and shall remain open until no funds remain in the MAP Refund Fund, subject to the other provisions of this Section.

(e) The Commission shall determine the maximum amount of a grant that may be provided under this Section in an academic year. A grant under this Section may be awarded to a student in addition to a monetary award program grant. However, the combined amounts of those grants may not exceed the total cost of tuition and fees for the academic year at the post-secondary educational institution at which the student is enrolled.

(f) Beginning in the third academic year following the issuance of refunds under subsection (b), the remaining balance in the MAP Refund Fund shall be appropriated to the Commission for the Commission's operating budget for the

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monetary award program.

(g) The MAP Refund Fund is created as a special fund in the State treasury. All money in the Fund shall be used, subject to appropriation, by the Commission for the purposes set forth in this Section.

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