

**97<sup>th</sup> GENERAL ASSEMBLY  
LEGISLATIVE REPORT**

**Submitted for:** Information.

**Summary:** This report updates the Board on the status of legislation passed by the General Assembly, and the Governor's actions. The report includes a summary of bills of particular interest to higher education.

**Action Requested:** None.



STATE OF ILLINOIS  
ILLINOIS BOARD OF HIGHER EDUCATION

**97<sup>TH</sup> GENERAL ASSEMBLY  
LEGISLATIVE REPORT  
2011 LEGISLATIVE SESSION**

The 97<sup>th</sup> General Assembly was inaugurated January 12, 2011, on the heels of an uncharacteristically active end to the 96<sup>th</sup> General Assembly, which wrapped up a lame duck session with passage of an income tax increase, among many significant issues.

The 97<sup>th</sup>, which took office with diminished but still solid Democratic majorities in each chamber, is gaining steam after a blizzard shut Springfield and most of the state down and cancelled a week of legislative sessions.

Most legislative activity so far has centered on bill introductions. Committee hearings will begin the week of February 15<sup>th</sup>, as lawmakers confront ongoing challenges posed by the state's nearly \$9 billion mountain of unpaid bills and constraints on new spending imposed by the legislation hiking income taxes for individuals and corporations. Senate Bill 3, sponsored by Senate President John Cullerton, would authorize the sale of \$8.75 billion in general obligation bonds to restructure debt owed by the state and enable the state Comptroller to get current with the backlog of unpaid bills.

As the deadline day for introducing Senate bills passed on February 10<sup>th</sup>, senators had proposed 2,303 bills, and counting. House members had introduced 1,504 bills, but with a February 24<sup>th</sup> deadline still had plenty of time to catch up.

Several measures affecting higher education students and institutions have been introduced to date. Among the bills of note are:

- House Bill 1503 (Rep. Chapin Rose) would require the Illinois Board of Higher Education to incorporate performance-based funding into its annual budget request to the General Assembly, beginning with fiscal 2013, as recommended by the Higher Education Finance Study Commission.
- House Bill 89 (Rep. Rose and several others) would remove public universities from the Illinois Procurement Code and set up a separate State University Procurement System. Public university officials have complained that recent changes to the procurement statute have hamstrung them in various aspects of university operation, most notably their research functions. The proposal derives from recommendations in a report of the Higher Education Procurement Study Commission, which conducted a review of procurement requirements last summer. Rep. Rose also has sponsored legislation (HB 1079) that, among other provisions, would exempt university non-instructional capital projects from oversight by the Board of Higher Education unless the project used state dollars as a funding source.

- Senate Bill 135 (Sen. Martin Sandoval) would remove the power of the boards of trustees at community colleges and public universities to set tuition and fee rates, and give the authority to the legislature. Another Sandoval bill (SB 114) would freeze tuition and fees for the next two years at the rates in place for the 2010-2011 academic year.
- Senate Bill 131 (Sen. Sandoval) would amend the state ethics act to create a separate Office of Inspector General for Higher Education to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, and other violations of the law. Public universities currently fall under the jurisdiction of the Office of Executive Inspector General.
- House Bill 146 (Rep. Jack Franks) would set a ceiling of \$106,800 of earnings that would be used to calculate pension benefits for retired state employees.
- Senate Bill 59 (Sen. Ira Silverstein) would create the Student Transfer Achievement Reform Act to require that a community college graduate with an associate's degree is eligible to transfer into a public university baccalaureate program with a minimum of 60 credit hours earned with at least a grade point average of 2.0. In addition, public universities must give priority admission to a local community college graduate into a major that is similar to the student's major or field of emphasis at the community college.
- Two bills, also sponsored by Sen. Sandoval, concern first-generation college students. Senate Bill 120 would require all public community colleges and universities to create an Office of Advising for First Generation College Students. SB 122 would direct the Board of Higher Education to require that all public colleges and universities track the status of those students who are the first in their family to attend an institution of higher learning. It also would require IBHE to include data on first-generation students in its annual Underrepresented Groups Report to the General Assembly.
- House Bill 152 (Rep. Monique Davis) would create a new Department of Education that would have oversight of the Illinois State Board of Education, the Board of Higher Education, and the Illinois Community College Board.

A comprehensive summary of bills affecting higher education follows.

## **Illinois Public Agenda Goal 1: Increase Educational Attainment**

### **Senate Bill 120, Sandoval**

### **Assigned to Higher Education**

Amends the Public Community College Act and various Acts relating to the governance of public universities in Illinois, requiring each public university and community college district to establish an Office of Advising for First Generation College Students to serve those students who are the first in their family to attend an institution of higher education.

### **Senate Bill 122, Sandoval**

### **Assigned to Higher Education**

Amends the Board of Higher Education Act, requiring all public institutions of higher education to track the status of those students who are the first in their family to attend an institution of higher education for purposes of inclusion in the underrepresented groups report to the General Assembly and the Governor.

### **Senate Bill 1799, Steans**

### **Referred to Assignments**

Amends the Teacher Certification Article of the School Code, providing that the State Board of Education, in consultation with the State Teacher Certification Board, shall have the power and authority to sanction teacher and administrator preparation programs, maintain a system of certification testing aligned with standards determined by the State Board of Education, and establish a code of ethics for all educators.

## **Illinois Public Agenda Goal 2: Ensure College Affordability**

### **House Bill 1503, Rose**

### **Introduced**

Amends the Board of Higher Education Act, requiring the Illinois Board of Higher Education to incorporate performance-based funding into its annual budget request to the General Assembly, beginning with fiscal 2013, as recommended by the Higher Education Finance Study Commission.

### **House Resolution 4, Cole**

### **Referred to Rules Committee**

Requests the Illinois Board of Higher Education to conduct a cost-neutral analysis of all relevant out-of-state tuition and fees charged by the University of Illinois in comparison to those charged by the flagship schools in surrounding states.

### **Senate Bill 114, Sandoval**

### **Assigned to Higher Education**

Amends the Public Community College Act and various Acts relating to the governance of public universities in Illinois to freeze tuition and fee rates for students for the 2011-2012 and 2012-2013 academic years at rates in effect for the 2010-2011 academic year.

### **Senate Bill 135, Sandoval**

### **Assigned to Higher Education**

Amends the Public Community College Act and various Acts relating to the governance of public universities in Illinois, removing the power of governing boards to establish tuition rates and fees. Provides that for the 2011-2012 academic year and thereafter, the tuition and fee rates for students equal the tuition and fee rates in effect for the 2010-2011 academic year, or an amount set by law by the General Assembly.

**Senate Bill 2097, Dillard**

**Referred to Assignments**

Creates the Early Graduation Tuition Waiver Act, providing that if a student graduates from grades 9 through 12 at an Illinois secondary school in less than 4 school years, then he or she is entitled to receive a tuition waiver to a public university in Illinois. The tuition waiver would be for the difference between 8 semesters and the actual number of semesters the student was enrolled in grades 9 through 12.

**Illinois Public Agenda Goal 3: Address Workforce Needs**

**House Bill 166, Winters**

**Assigned to Higher Education Committee**

Creates the University Green Jobs and Technology Act, providing that the Board of Higher Education shall require that green jobs certificate and degree programs offered by each State university be uniformly named, annually publicize on its Internet website information concerning efforts made by State universities to promote the green technology industry, and requires each State university to develop agreements to share equipment required for students participating in green jobs certificate or degree programs.

**Senate Bill 59, Silverstein**

**Assigned to Higher Education**

Creates the Student Transfer Achievement Reform Act, providing that a public community college student who earns an associate degree for transfer is deemed eligible for transfer into the baccalaureate program of a State university if the student (1) completes sufficient academic credits that are eligible for transfer to a State university, and (2) obtains of a minimum grade point average of 2.0 on a 4.0 scale. Requires a State university to guarantee admission with junior status to any community college student who meets all of the requirements of the Act, receiving priority over all other community college transfer students. Amends the State Mandates Act to require implementation without reimbursement.

**Illinois Public Agenda Goal 4: Enhance Economic Growth**

**Senate Bill 2098, Dillard**

**Referred to Assignments**

Amends the Illinois Mathematics and Science Academy Law, providing that the Illinois Mathematics and Science Academy shall develop an additional residential campus in a county with a population less than 400,000.

**Budget**

**House Bill 175, Connelly**

**Assigned to Revenue & Finance Committee**

Amends the Illinois Income Tax Act. Reduces the rates established under Public Act 96-1496 to (i) 3% for individuals, trusts, and estates and (ii) 4.8% for corporations.

**Senate Bill 3, Cullerton**

**Assigned to Executive**

Amends the State Finance Act, creating the General Obligation Restructuring Bond Fund and the General Obligation Restructuring Bond Debt Service Fund, to authorize \$8,750,000,000 of Bonds to pay vouchers that are at least 60 days past due, medical expenses incurred by the State under its health plans, corporate income tax refunds, and other operating expenses of the State.

**Senate Bill 2159, Brady**

**Referred to Assignments**

Amends the Illinois Income Tax Act. Reduces the rates established under Public Act 96-1496 to (i) 3% for individuals, trusts, and estates and (ii) 4.8% for corporations.

**Community Colleges**

**House Bill 15, Tracy**

**Assigned to Executive Committee**

Amends the Public Community College Act, concerning tuition of a student attending a community college outside of the district. and the maximum amount of tuition that may be charged.

**Senate Bill 2042, Millner**

**Referred to Assignments**

Amends the Public Community College Act, changing references from “chairman” to “chairperson” of the board of trustees of a community college district.

**House Bill 304, Tracy**

**Assigned to Higher Education Committee**

Amends the Public Community College Act, providing that the tuition rate and fee limit of 1/3 of the per capita cost applies until the effective date of the amendatory Act and beginning again 3 years after the effective date of the amendatory Act.

**Universities**

**House Bill 89, Rose**

**Assigned to Executive Committee**

Creates the Public University Procurement Act, establishing a State University Procurement System, governed by a board consisting of one member appointed by each public university's board of trustees, to develop and implement a proposed Procurement Code for Public Universities. The bill would exempt universities from the requirements of the existing procurement act. The proposal emerged from a task force convened by the Board of Higher Education to study the procurement issue.

**House Bill 1079, Rose**

**Assigned to Executive Committee**

Amends the State Property Control Act and the Board of Higher Education Act, providing that, with respect to public universities, the Department of Central Management Services may require a listing of equipment items only for those items valued in excess of \$5,000, rather than the current threshold of \$500. It also would limit IBHE oversight of public university noninstructional capital projects only to those improvements that use state funds.

**House Bill 1148, Brady**

**Referred to Rules Committee**

Amends the public university Acts, authorizing the Board of Trustees of each public university to use locally held funds for any non-appropriated need that it deems appropriate.

**Miscellaneous**

**Senate Bill 121, Sandoval**

**Assigned to Higher Education**

Amends the Public Community College Act and various Acts relating to the governance of public universities in Illinois, providing that, with respect to public university and community college audits made by the Auditor General, a board of trustees shall reduce the base salary of the president of the university or college by 10% for each significant finding in an audit report that is not resolved within one year after receiving the final audit report.

**House Bill 201, Pihos**

**Assigned to Executive Committee**

Amends the School Code, eliminating the General Assembly scholarships, effective July 1, 2011.

**House Bill 227, Franks**

**Assigned to Executive Committee**

Amends the School Code, eliminating the General Assembly scholarships effective, June 1, 2011.

**Senate Bill 2233, Frerichs**

**Referred to Assignments**

Amends the School Code, eliminating the General Assembly scholarships effective, June 1, 2011.

**House Bill 1353, Pritchard**

**Referred to Rules Committee**

Amends the School Code, prohibiting a nominee for a General Assembly scholarship from being a relative of the member of the General Assembly making the nomination. Provides that each member of the General Assembly shall (instead of may) delegate to the Illinois Student Assistance Commission the authority to nominate persons for General Assembly scholarships that the member would otherwise be entitled to award.

**House Bill 106, Jakobsson**

**Assigned to Human Services Committee**

Amends the Abandoned Newborn Infant Protection Act, expanding the definition of the term "police station" to include a campus police department located on any public or private college or university.

**House Bill 244, Hays**

**Assigned to Human Services Committee**

Amends the Abandoned Newborn Infant Protection Act, expanding the definition of "police station" to include a State university's or a State college's police department and the various district headquarters of the Illinois State Police.

**House Bill 1319, Senger**

**Referred to Rules Committee**

Amends the Illinois Vehicle Code, providing that collegiate license plates may be issued for a public college or university located in a state contiguous to Illinois if not fewer than 10,000 alumni of that institution reside in Illinois. The moneys generated by collegiate license plates would be deposited into the University Grant Program and distributed through the Illinois Student Assistance Commission to participating institutions for the sole purpose of scholarship grant awards to Illinois residents.

**Senate Bill 131, Sandoval**

**Assigned to State Government and Veterans**

**Affairs**

Amends the State Officials and Employees Ethics Act, authorizing the Governor to appoint an Executive Inspector General for Higher Education to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of the Act by public institutions of higher education, their officers, and their employees.

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**House Bill 152, Monique Davis**

**Assigned to State Government**

**Administration Committee**

Creates the Department of Education Act, with a Secretary of Education as its head. The Department would oversee the State Board of Education, the Board of Higher Education, and the Illinois Community College Board, and coordinate and streamline the functions of these boards.

## **Pensions**

### **House Bill 146, Franks**

### **Assigned to Executive Committee**

Amends various articles of of the Illinois Pension Code, including SURS, capping final earnings for calculation of annuities at \$106,800, with annual increases defined.

### **House Bill 149, Cross**

### **Assigned to Personnel and Pensions Committee**

Amends the Illinois Pension Code to require current and new participants in the State-funded pension systems to make a one-time, irrevocable election of one of the following: (i) the traditional benefit package under the applicable Article of the Pension Code, (ii) the existing benefit package for new hires, or (iii) a self-managed plan (if made available by the participant's employer).

### **House Bill 1374, Currie**

### **Referred to Rules Committee**

Amends the State Employees Group Insurance Act of 1971, adding and excluding certain classes of persons from the definition of community college benefit recipient. Adds provisions concerning required employee contributions and the required payment by certain community college districts.

### **Senate Bill 1711, Haine**

### **Referred to Assignments**

Amends the State Employees Group Insurance Act of 1971, increasing, beginning April 1, 2011, the required contributions towards the cost of community college health benefits for every active contributor of the State Universities Retirement System who (1) is a full-time employee of a community college district or an association of community college. Amends the State Mandates Act to require implementation without reimbursement.

### **Senate Bill 2187, Clayborne, Jr.**

### **Referred to Assignments**

Amends the Downstate Teachers and State Universities Articles of the Illinois Pension Code. Extends, by 5 years, the period during which certain types of salary increases may be excluded from the calculation of a 6% salary increase above which employees must make additional contributions.