

LEGISLATIVE REPORT

Submitted for: Information.

Summary: This report updates the Board on General Assembly activity and gubernatorial action, including a summary of bills of particular interest to higher education.

Action Requested: None.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

LEGISLATIVE REPORT

97th General Assembly
(End of Spring 2012 Session)
Summary of Legislation
Status as of August 9, 2012

Illinois Public Agenda Goal 1: Increase Educational Attainment

Senate Bill 3244, Frerichs (Chapa LaVia)

Public Act 97-0704

An initiative by Lieutenant Governor Simon to improve math readiness of high school students for college, thereby reducing the need for remediation classes at community colleges, the bill requires the Illinois State Board of Education (ISBE) to work with stakeholders, including higher education faculty, to develop a model mathematics curriculum that must be available to school districts.

Senate Bill 3259, Lightford (Chapa LaVia)

Public Act 97-0911

Amends the School Code. Creates the Commission for High School Graduation Achievement and Success to study the issue of high school graduation in this State, with the goals of increasing educational attainment, high school graduation rates, and ultimately improving the workforce in this State. Sets forth what the Commission is tasked to examine and evaluate. Includes provisions concerning Commission members, the conduct of business, administrative support, and other laws and administrative rules. Requires the Commission to submit a final report of its findings and recommendations to the Governor and the General Assembly on or before November 1, 2012. Permits the Commission to submit other reports as it deems appropriate.

Illinois Public Agenda Goal 2: Ensure College Affordability

House Bill 3923, Durkin (Murphy)

Public Act 97-0876

Amends the Open Meetings Act. Provides the provision that authorizes closed meetings to be held to consider the sale or purchase of securities, investments, or investment contracts does not apply to meetings held to consider the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund. Effective immediately.

House Bill 4116, Durkin (Dillard)**Public Act 97-0754**

Mandates that members of the College Illinois! Prepaid Tuition program file annual statements of economic interest with the Secretary of State's office.

House Bill 5531, Arroyo**Third Reading - Short Debate - Lost 026-075-007**

Amends various Acts relating to the governance of state universities. Repeals provisions that permit the children of employees of a state university who have been employed by any one or by more than one state university for an aggregate period of at least seven years to receive a 50% tuition waiver. Effective immediately.

Senate Bill 1967, Maloney (Dunkin)**Pursuant to Senate Rule 3-9(b) / Referred to Assignments**

Requires that, in awarding Monetary Award Program (MAP) grants, ISAC assumes funding no greater than the program received during the previous fiscal year. If the final MAP appropriation is insufficient to cover all awards, the bill would also require that the proration be applied equally across semesters.

Senate Bill 2818, Hunter (Howard)**Public Act 97-0799**

Amends the Children and Family Services Act. Changes the class of persons who qualify for scholarships and fee waivers granted by the Department of Children and Family Services to youth under care, youth who have aged out of care at 18 years or older, or youth formerly under the care who have been adopted or are in a guardianship placement. Limits the Department's selection of scholarship recipients to students who have earned a high school diploma from a public school district, a recognized nonpublic school, a certificate of general education development (GED), or who have met the State's criteria for high school graduation. Effective immediately.

Senate Bill 3800, Maloney (Durkin)**Sent to the Governor**

Amends the Higher Education Student Assistance Act. Authorizes ISAC to deduct from the salary, wages, commissions, and bonuses of any employee in this State and, as otherwise permitted, any employee outside the State of Illinois, by serving a notice of administrative wage garnishment on an employer for the recovery of a student loan debt owned or serviced by the Commission. Provides that levy must not be made until the Commission has caused a demand to be made on the employee such that the employee is provided an opportunity to contest the existence or amount of the student loan obligation. Effective immediately.

Senate Joint Resolution 69, Maloney (Biss)**Adopted Both Houses**

Establishes an ISAC-led task force to evaluate different criteria for student and institutional eligibility for MAP. In particular, the resolutions request that the task force examine the worth of more stringent academic progress requirements for students, some measure of schools' ability to improve students' progress, and schools' own contributions to financial aid for students. Eligibility changes would not take effect before FY2015.

Illinois Public Agenda Goal 3: Increase College Completions

House Bill 5248, Cunningham (Lightford)

Rule 19(b) / Re-referred to [Rules Committee](#)

Requires the Illinois Community College Board (ICCB), the Illinois Board of Higher Education (IBHE), an organization representing the public policy interests of this State's private, non-profit colleges and universities, and the Illinois Higher Education Consortium to form a committee to develop the Illinois College Choice Reports. The reports will provide information about Illinois colleges and universities, including costs, student demographics, student progress and attainment, application and admission data, areas of study, and certificate or degree completion. The reporting mechanisms must be completed on or before January 1, 2014. IBHE and ICCB will collect data and make it publicly available annually by January 1, 2015.

Senate Bill 3804, Kotowski

Pursuant to Senate Rule 3-9(b) / Referred to [Assignments](#)

Amends the Board of Higher Education Act and the Public Community College Act. Requires IBHE, in conjunction with ICCB, to establish a Statewide Articulation and Transfer Committee; sets forth the duties of the committee. Requires IBHE to collaborate with ICCB to recommend to the General Assembly a revised, statewide articulation agreement that shall govern the articulation and transfer of credits between and among this State's secondary and postsecondary institutions; sets forth related requirements. Requires IBHE to establish limits on the number of credits that institutions are allowed to require transferring students to complete on campus for graduation in order to minimize the time needed to complete a transfer degree. Provides that ICCB is authorized and it shall be its duty to periodically review student records from students who, having formerly studied at a State community college, have since transferred to a 4-year institution that is authorized to receive MAP funds in order to produce a course articulation report and shall also support IBHE in convening a Statewide Articulation and Transfer Committee. Effective immediately.

Budget

Senate Bill 2332, Kotowski (Madigan)

Governor Item Veto Public Act 97-0725

Reappropriates Build Illinois Bond Funds for FY 2013.

Senate Bill 2348 Steans (Madigan)

Public Act 97-0685

Amends various Public Acts by changing and adding FY12 appropriations. Makes FY13 appropriations to various agencies. Effective July 1, 2012, except certain provisions are effective immediately.

Senate Bill 2365 Steans (Madigan)

Referred to House Rules Committee

Makes appropriations to ISBE, ISAC, and the Department on Aging for specified purposes in addition to amounts previously appropriated. Effective July 1, 2012.

Senate Bill 2413 Kotowski (Madigan)

Appropriations for ICCB and ISBE programs.

Public Act 97-0728

Senate Bill 2443, Kotowski (Madigan)

Appropriations for Higher Education for FY 2013.

Public Act 97-0729

Senate Bill 3802, Link (Currie)

Creates the FY2013 Budget Implementation (Supplemental) Act. Amends various Acts to make changes in state programs that are necessary to implement the Governor's fiscal year 2013 budget recommendations. Effective immediately.

Public Act 97-0732

Community Colleges

House Bill 1864, Lilly (Maloney)

Rule 19(b) / Re-referred to Rules Committee

Amends the Public Community College Act. Provides that as of July 1, 2012, a community college district must maintain a minimum required combined in-district tuition and universal fee rate per semester credit hour equal to 70% (instead of 85%) of the state-average combined rate, as determined by ICCB, or the total revenue received by the community college district from combined in-district tuition and universal fees must be at least 30% of the total revenue received by the community college district, as determined by the Board, for equalization funding. Effective July 1, 2011.

Senate Bill 2929, Noland (Farnham)

Sent to the Governor

Amends the Public Community College Act. Specifically includes the Procurement of Domestic Products Act as one of the laws (and related administrative requirements) that apply to the Public Community College Act. Removes a reference to the Public Works Preference Act, which has been repealed. Effective immediately.

Senate Bill 3428, Maloney (Beiser)

Sent to the Governor

Amends the Public Community College Act. Provides that, after the effective date of the amendatory Act, one of the 11 members of ICCB be appointed by the Governor, by and with the advice and consent of the Senate, must be the president of a public community college. Effective immediately.

Senate Bill 3635, Maloney (Cunningham)

Sent to the Governor

Removes the amendatory language that allows a community college to comply with the terms and conditions of a grant, gift, or bequest that calls for the use of a particular contractor. With respect to a community college complying with the terms and conditions of a grant, gift, or bequest that calls for the procurement of a particular good or service, provides that the grant, gift, or bequest must comply with all applicable laws and must not interfere with or otherwise impair any collective bargaining agreements the community college may have with labor organizations.

Universities

House Bill 5914, Rose (Righter)

Public Act 97-0814

Amends various Acts relating to the governance of public universities in Illinois. Provides that charges for the services of an external hiring search firm may not be paid from any source of funds, except (i) in the hiring of the president of a university or (ii) in the case of when the president of the university and the board of trustees demonstrate a justifiable need for guidance from an individual or firm with specific expertise in the field of the hiring. Requires a university to implement a policy, including qualifying criteria, within six months after the effective date of the amendatory Act.

Miscellaneous

House Bill 3810, Crespo (Cullerton)

Public Act 97-0772

Amends the School Code. Provides that after September 1, 2012, persons may not be nominated for General Assembly scholarships and that General Assembly scholarships may not be awarded after that date unless the nomination is made prior to that date. Prevents both second nominations for any lapsed General Assembly scholarship and nominating persons to the unused or unexpired parts of any vacated General Assembly scholarship after June 1, 2012. Creates the Tuition and Fee Waiver Task Force. IBHE is to provide administrative support to the Task Force of eight legislators. The Report is required to be submitted by April 15, 2013. Effective immediately.

House Bill 3887, Kay (McCarter)

Public Act 97-0711

Amends the Abused and Neglected Child Reporting Act. Adds personnel of institutions of higher education, athletic program personnel, and early intervention providers to the list of mandated reporters under the Act. Effective immediately.

House Bill 4076, Kosel (Martinez)

Public Act 97-0777

Amends the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985. Provides a definition for the term "school" used within the Act. Effective immediately.

House Bill 4687, Pihos (Dillard)

Public Act 97-0827

Amends the Open Public Meetings Act, concerning subject matter and posting requirements.

House Bill 4757, Moffitt (Maloney)**Public Act 97-0899**

Amends the Fire Sprinkler Dormitory Act. Provides that the Office of the State Fire Marshal must approve the compliance plan by January 1, 2013, for the requirement that the dormitories of all post-secondary educational institutions have fire sprinkler systems by 2013. Provides that the Office of the State Fire Marshal must approve the compliance plan by January. Provides that the compliance plan must be submitted no later than November 1, 2012, and must include (1) fire sprinkler system working drawings and hydraulic calculations, (2) a water supply analysis to determine available water and the need for a fire pump, and (3) a fire sprinkler system installation schedule (instead of providing that the compliance plan shall include a detailed timeline that outlines completion of the planned sprinkler system installations and the Office of the State Fire Marshal may, at its discretion, require periodic updates from a post-secondary educational institution to document its efforts to comply with the Act). Provides that if the compliance plan is approved by the Office of the State Fire Marshal, then the deadline for fire sprinklers to be installed and operational shall be extended to September 1, 2014.

Senate Bill 758, Trotter (Lang)**Sent to the Governor**

Amends the Liquor Control Act of 1934. In an exception to the prohibition against an underage person possessing alcoholic liquor, provides that a person who meets other requirements and is a culinary, food service, or restaurant management student may taste, but not imbibe, alcoholic liquor up to, but not exceeding, 6 times per class for instructional purposes as a part of a required course.

Senate Bill 2949, Silverstein (Mathias)**Sent to the Governor**

Amends the University Religious Observances Act. Provides that any student in an institution of higher learning, other than a religious or denominational institution of higher learning, who is unable, because of his or her religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination, study, or work requirement and shall be provided with an opportunity to make up the examination, study, or work requirement that he or she may have missed because of such absence on a particular day; provided that the make-up examination, study, or work does not create an unreasonable burden upon the institution. Prohibits fees of any kind from being charged by the institution for making available to the student such an opportunity. Provides that no adverse or prejudicial effects shall result to any student because of his or her availing himself or herself of these provisions. Requires publication of these provisions. Requires the student to notify their absence due to religious beliefs in advance.

Senate Bill 2958 Althoff (Currie)**Public Act 97-0895**

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois and the State Finance Act. Amends the Illinois Procurement Code.

Senate Bill 3794, Holmes (Madigan)**Sent to the Governor**

Creates the Financial Reporting Standards Board Act.

Pensions

House Bill 1447, Burke (Cullerton)

Rule 19(b) / Re-referred to Rules Committee

Amends the General Provision and State Employee Articles of the Illinois Pension Code. Provides that Tier I employees and Tier I retirees must make an irrevocable election either: (1) to accept changes in eligibility for, and the amount of, automatic annual increases in retirement annuity or (2) to avoid those changes. Provides that a person who elects the first choice may have any future increases in income included as compensation and is entitled to certain healthcare benefits. Provides that a person who elects the second choice forgoes those benefits. In the State Universities Article, provides that, beginning on the effective date, certain entities no longer qualify as employers and certain persons no longer qualify as employees. Amends a Section of the State Universities Civil Service Act relating to powers of the Merit Board. Makes other changes.

House Bill 4622, Nekritz (Martinez)

Sent to the Governor

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. Amends the State Universities Article of the Illinois Pension Code. Makes administrative and technical changes and corrects terminology relating to participants and annuitants, disability and disability retirement benefits, calculation of interest, and termination of employment. Makes other changes. Effective immediately.

House Bill 4996, Biss (Steans)

Sent to the Governor

Amends the State Universities Article of the Illinois Pension Code concerning annuitants who return to employment. Requires notification and documentation of persons receiving a retirement annuity who are employed by university and community college employers.

House Bill 6209, Nekritz

Filed with the Clerk

Amends the General Provision, General Assembly, State Employee, State Universities, and Downstate Teachers Articles of the Illinois Pension Code. Provides that Tier I employees and Tier I retirees must make an irrevocable election either: (1) to accept changes in eligibility for, and the amount of, automatic annual increases in retirement annuity or (2) to avoid those changes. Provides that a person who elects the first choice may have any future increases in income included as compensation and is entitled to certain healthcare benefits. Provides that a person who elects the second choice forgoes those benefits. Prohibits departments from offering to a person who elects the second choice any future increase in income in a form that would constitute compensation. Requires the System to provide information describing the consequences of making the election. Provides that, for an employee who first becomes a participant on or after the effective date of the amendatory Act, "compensation" does not include any payments for travel vouchers that are submitted late. Defines "future increase in income", "Tier I employee", and "Tier I retiree". Amends the State Finance Act. To the list of standardized items of appropriation, adds "State retirement contribution for annual normal cost" and "State retirement contribution for unfunded accrued liability". Defines those terms. Amends the Governor's Office of Management and Budget Act. Adds those terms to a list of classifications to be used in statements and estimates of expenditures submitted to the Office in connection with the preparation of a State budget. Amends the Illinois Public Labor Relations Act and other Acts to make related changes. Makes other changes. Effective immediately.

House Bill 6210, Nekritz**Filed with the Clerk**

Amends the General Provision, State Universities, and Downstate Teachers Articles of the Illinois Pension Code. Provides that Tier I employees and Tier I retirees must make an irrevocable election either: (1) to accept changes in eligibility for, and the amount of, automatic annual increases in retirement annuity or (2) to avoid those changes. Provides that a person who elects the first choice may have any future increases in income included as compensation and is entitled to certain healthcare benefits. Provides that a person who elects the second choice forgoes those benefits. Prohibits departments from offering to a person who elects the second choice any future increase in income in a form that would constitute compensation. Requires the System to provide information describing the consequences of making the election. Provides that, for an employee who first becomes a participant on or after the effective date of the amendatory Act, "compensation" does not include any payments for travel vouchers that are submitted late. Defines "future increase in income", "Tier I employee", and "Tier I retiree". Amends the State Finance Act. To the list of standardized items of appropriation, adds "State retirement contribution for annual normal cost" and "State retirement contribution for unfunded accrued liability". Defines those terms. Amends the Governor's Office of Management and Budget Act. Adds those terms to a list of classifications to be used in statements and estimates of expenditures submitted to the Office in connection with the preparation of a State budget. Amends the Illinois Public Labor Relations Act and other Acts to make related changes. Makes other changes. Effective immediately.

Public Act 97-0695**Senate Bill 1313, Schoenberg (Madigan)**

Changes the nearly \$800 million state funded program that currently provides retirees, including former state workers, lawmakers, judges, and university workers with free health insurance premiums, so that the decisions for how much retirees would pay towards their premiums would become an annual contractual negotiation.