

# University of Illinois Act Change

As of January 1, 2008

House Bill 486 and Public Act 95-0064 adds Operation Enduring Freedom and Operation Iraqi Freedom to the list of military conflicts for which each Illinois county receives one annual, honorary scholarship to the University of Illinois.

## University of Illinois Children of Veterans Tuition Waiver Application

The Children of Veterans Tuition Waiver is a four-year (consecutive) tuition waiver at the University of Illinois. If you are awarded the waiver, it will cover your in-state tuition (for undergraduate, graduate, or professional studies) at the University of Illinois (Urbana-Champaign, Chicago, Health Sciences Center, or Springfield Campus). **The priority deadline to apply is usually March 1<sup>st</sup> of every year.** If we receive your application after the priority deadline we will consider it ONLY if the waiver for the war and county for which you are applying has not yet been awarded to an earlier applicant. You will be notified typically by April 1<sup>st</sup> of each year whether you have been selected to receive the waiver.

### Eligibility Requirements

1. You must be a permanent resident of the Illinois County from which you apply, and also must be considered a resident of the State of Illinois. *This tuition waiver will not waive out-of-state tuition.*
2. You must be admitted or have applied to the University of Illinois (Urbana-Champaign, Chicago, Springfield, or Health Sciences Center) by March 1 of every year to be eligible for the first round of awarding. The tuition waiver must be used beginning with the first term of enrollment after eligibility has been established.
3. You must be the natural or legally adopted child (by January 1 of the application year) of the veteran on whose service your application is made. Please note: This tuition waiver is not for grandchildren of veterans.
4. You must provide a legible copy of your veteran parent's DD Form 214\* as proof of:
  - ⊕ his/her active or reserve duty service during World War II (service between September 16, 1940 and July 25, 1947), the Korean Conflict (service between June 25, 1950 and January 31, 1955), the Vietnam Conflict (service between January 1, 1961 and May 7, 1975).
  - ⊕ his/her eligibility to receive or receipt of the Southwest Asia Service Medal, Afghanistan Campaign Medal, Iraqi Campaign Medal, or Global War on Terrorism Medal (receipt of the Southwest Asia Service Medal for service between August 2, 1990 and November 30, 1995; receipt of the Afghanistan Campaign Medal or Global War on Terrorism Medal on or after October 24, 2001; or receipt of the Iraqi Campaign Medal or Global War on Terrorism Medal on or after March 19, 2003).

*\*A photocopy of the DD Form 214 is the preferred documentation; however, we will accept copies of other discharge orders or active orders as proof of service medal eligibility. The documentation must be sufficient enough to support the criteria listed for the conflict(s) marked on the Children of Veteran Tuition Waiver application including conflict name/geographic area, date entered and date discharged.*
5. You must provide proof of your ACT scores with this application. A photocopy of the form that you received from ACT reflecting your scores or a copy of your high school transcript reflecting your ACT scores will be accepted.
6. You may not have previously received and used a Children of Veterans Tuition Waiver.

### Selection Criteria

1. Up to six tuition waivers per county are awarded each year; one for each of the following: World War II, the Korean Conflict, the Vietnam Conflict, the Southwest Asia Conflict, Operation Enduring Freedom, and Operation Iraqi Freedom. If there is no qualified candidate, the tuition waiver expires. Tuition waivers are not transferable from one individual, one war/conflict, or one county to another.
2. Recipients of tuition waivers will be determined according to the following criteria, which appear in order of priority:

- ⌚ The child of a deceased veteran will be awarded the tuition waiver. If two or more candidates meet this criterion, the candidate with the highest ACT composite score will be the recipient.
  - ⌚ If the veteran parents of all candidates are living, the child of a disabled veteran will be awarded the tuition waiver. If two or more candidates meet this criterion, the candidate with the highest ACT composite score will be the recipient.
  - ⌚ If the veteran parents of all candidates are living and none are disabled, the tuition waiver will be awarded to the candidate with the highest ACT composite score.
3. The priority deadline to apply for the Children of Veterans Tuition Waiver is approximately March 1<sup>st</sup> of every year. To be included in the first round of awarding, your application must be deemed complete by the Office of Student Financial Aid by this date.

Please visit the following website to verify the correct deadline dates and for any changes to the requirements [www.osfa.illinois.edu](http://www.osfa.illinois.edu).

## Returning Veterans' Homestead Exemption

### EXEMPTIONS ENACTED BY HB 664

Beginning with taxable year 2007, a homestead exemption, limited to a reduction set forth under section (b), from the property's value, as equalized or assessed by the Department, is granted for property that is owned and occupied as the principal residence of a veteran returning from an armed conflict involving the armed forces of the United States who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein. For purposes of the exemption under this Section, "veteran" means an Illinois resident who has served as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of the United States Reserve Forces.

You will need a copy of your DD214 and/or overseas order to substantiate that you supported an armed conflict for your county assessor's office to receive your property tax exemption of up to \$5000.

It is not retroactive prior to tax year 2007, and it is up to \$5000 off of the assessed value of your property NOT your tax bill. There is no limit on the outlying years to apply, if you qualify. Depending on your tax rate the exemption amount will vary.

(35 ILCS 200/15-167)

Sec. 15-167. Returning Veterans' Homestead Exemption.

(a) Beginning with taxable year 2007, a homestead exemption, limited to a reduction set forth under subsection (b), from the property's value, as equalized or assessed by the Department, is granted for property that is owned and occupied as the principal residence of a veteran returning from an armed conflict involving the armed forces of the United States who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located, which is occupied as the principal residence of a veteran returning from an armed conflict involving the armed forces of the United States who has an ownership interest therein, legal, equitable or as a lessee, and on which he or she is liable for the payment of property taxes. For purposes of the exemption under this Section, "veteran" means an Illinois resident who has served as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of the United States Reserve Forces.

(b) In all counties, the reduction is \$5,000 and only for the taxable year in which the veteran returns from active duty in an armed conflict involving the armed forces of the United States. For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, must be multiplied by the number of apartments or units occupied by a veteran returning from an armed

conflict involving the armed forces of the United States who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. In a cooperative where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified for the exemption. Any person who willfully refuses to so credit the savings is guilty of a Class B misdemeanor.

(c) Application must be made during the application period in effect for the county of his or her residence. The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire, or other reasonable methods. The determination must be made in accordance with guidelines established by the Department.

(d) The exemption under this Section is in addition to any other homestead exemption provided in this Article 15. Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.  
(Source: P.A. 95-644, eff. 10-12-07.)

Application is enclosed in your deployment packet.

## IL Public Act 094-0312

Illinois Public Act 094-0312, (35 ILCS 200/21-15) effective July 25, 2005, states "If an Illinois resident who is a member of the Illinois National Guard or a reserve component of the armed forces of the United States and who has an ownership interest in property taxed under this act is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under this act, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until 180 days after that member returns from active duty. To be deemed not delinquent in the payment of an installment of taxes and any interest on that installment, the reservist or guardsperson must make reasonable effort to notify the county clerk and the county collector within 180 days after his or her deactivation and provide verification of the date of his or her deactivation. An installment of property taxes on the property of any reservist or guardsperson who fails to provide timely notice and verification of deactivation to the county clerk is subject to interest and penalties as delinquent taxes under this code from the date of deactivation."

## IL Public Act 094-0635

In addition to the Federal SCRA, the State of Illinois has the following:

- Military Personnel Cellular Phone Contract Termination Act
- Department of Central Mgmt Services Law of the Civil Administrative Code Of IL: Bulk long distance telephone services for military personnel on active duty
- IL Municipal Code: No stoppage of gas or electricity; arrearage
- IL Insurance Code: Military Personnel on active duty; no lapse of life insurance policy
- Public Utilities Act: Military Personnel on active duty; no stoppage of gas or electricity; arrearage
- Code of Civil Procedure: Military Personnel on active duty; action for possession
- Interest Act Adds Sec. 4.05: Military Personnel on active duty; limitation on interest rate
- Motor Vehicle Leasing Act: Military personnel on active duty; termination of lease
- IL Line of Duty Compensation Act: Extends the Life Insurance Policy for Police and Fireman killed in the Line of Duty to ILNG and Reservists if IL Residents. This is free of charge and on top of the SGLI. Beneficiary forms can be completed in the Family Readiness Office.

## Tri-Care Reserve Select for National Guard and Reserve

National Guard and Reserve members will be able to purchase health care coverage under the new TRICARE Reserve Select (TRS), and all will pay the same low monthly premium. For some, it means they will pay a third of what they are paying today. To begin the application process, reservists should visit the Guard and Reserve Web portal. Note, this is a restricted site. For more specific information, please go to the TRICARE Reserve Select website at: <http://www.tricare.mil/reserve/reserveselect>.

Members are eligible for Tri-Care Reserve Select as long as they are NOT eligible under the Federal Employees Health Benefit Plan.

The first day after your orders end, a Member is eligible to apply with no gap in coverage up to 60 days after the end of the orders.

## Federal Voting Assistance Program

If you are deployed during a Federal or State Election, please visit [www.fvap.gov](http://www.fvap.gov) to obtain information on State instructions and an electronic version of Standard Form 76. You will be able to obtain forms, electronic voting tools, and state and local election official contact information from this website.

# IL Military Family Relief Fund

\$500.00 Status Based Grant to every IL Guardsman O-3 or W-3 or lower  
Available to apply for every 6 months as long as criteria is met.

- IL National Guardsman (ILNG) only are eligible whether or not they are an IL Resident as long as following criteria is met:
  - OEF or OIF contingency
  - ILNG or IL Resident
  - Active Duty orders for more than 30 days
- A Guard Member does not have to deploy as long as the following criteria is met:
  - OEF or OIF contingency
  - ILNG or IL Resident
    - Example: A member of the 182d Airlift Wing lives in Iowa because they are an IL National Guardsman they now qualify.
    - Example: A member of the Iowa National Guard is a resident of IL they now qualify.
  - Active Duty orders for more than 30 days
- Applications can be made every 6 months of consecutive service or every 6 months on different orders if the following criteria is met:
  - OEF or OIF contingency
  - ILNG or IL Resident
  - Active Duty orders for more than 30 days

## Needs Based Grant

- ILNG
- IL Resident serving in the US Armed Forces Reserves
- Family member of the ILNG or Reserve Member and enrolled in DEERS
  - Active Duty orders for more than 30 days
  - Pay Grade O-3 or W-3 or lower
  - Military salary including BAH is at least 30% LESS than civilian salary including Drill Pay
  - Servicemember must have dependents to be eligible
  - Available to apply every 6 months as long as the above criteria is met

## Injury Based Grant

- ILNG
- IL Resident serving in the US Armed Forces Reserves
  - Active Duty orders for more than 30 days
  - Sustained a service-connected injury as a direct result of a hostile action (whether hostile or friendly fire)
  - No restriction on marital status
  - No pay grade restriction

Pursuant to Illinois Law (15 ILCS 405/10.05-10.05A), the Comptroller is required to withhold all eligible payments until any claim from Healthcare & Family Services has been satisfied. Therefore, IMFRF payment can be withheld towards delinquent payment to Healthcare & Family Services.

# Child Support Modification During Military Reserve/National Guard Mobilization/Activations

The State of Illinois has an interest to ensure that child support payments are made in accordance with State law based upon all sources of income and appropriate deductions during long-term military activation periods for Reserve and Guard personnel.

All citizens, regardless of personal income levels, who have Illinois court or administrative orders involving child support may apply for child support modification and enforcement services through the Title IV-D Services Program of the Illinois Department of Public Aid (IDPA). These child support enforcement and modification services from the IDPA come at no cost to the applicant.

When a National Guard or Reserve member is mobilized or activated to long-term continuous military active duty orders (defined as greater than 30 continuous days), his or her income may change during the temporary period of military service. Members of the National Guard or Reserves who are placed on long term orders and who have been previously ordered by an Illinois court or by Administrative Order of the Illinois Department of Public Aid (IDPA) to make child support payments are required to continue current child support payment amounts until ordered otherwise.

The below links highlight what various parties who either pay child support or receive child support for dependent children need to do to apply for Title IV-D services through the IDPA. In addition, procedures for military and civilian staff members charged with military activation/mobilization administration are listed below.

All procedures must be followed to ensure that the IDPA can expeditiously process service applications from interested parties. Go to [www.operationhomefront.org](http://www.operationhomefront.org), Benefits & Rights, Reservists and National Guard Rights; and click on Child Support Adjustment Information. All forms are located at the bottom.

# Illinois Military Family Relief Act

This law now allows spouses and parents of service members who are deployed to take up to 30 days off of work without losing their job. This is the first of its kind in the country.

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

**Section 1. Short title.** This Act may be cited as the Family Military Leave Act.

**Section 5. Definitions.** In this Act:

**"Employee"** means any person who may be permitted, required, or directed by an employer in consideration of direct or indirect gain or profit to engage in any employment. **"Employee"** does not include an independent contractor. **"Employee"** includes an employee of a covered employer who has been employed by the same employer for at least 12 months, and has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. **"Employee benefits"** means all benefits, other than salary and wages, provided or made available to employees by an employer and includes group life insurance, health insurance, disability insurance and pensions, regardless of whether benefits are provided by a policy or practice of an employer. **"Employer"** means (1) any person, partnership, corporation, association, or other business entity; and (2) the State of Illinois, municipalities and other units of local government. **"Family military leave"** means leave requested by an employee who is the spouse or parent of a person called to military service lasting longer than 30 days with the State or United States pursuant to the orders of the Governor or the President of the United States.

**Section 10. Family Military Leave Requirement.**

**(a)** Any employer, as defined in Section 5 of this Act, that employs between 15 and 50 employees shall provide up to 15 days of unpaid family military leave to an employee during the time federal or State deployment orders are in effect, subject to the conditions set forth in this Section. Family military leave granted under this Act may consist of unpaid leave.

**(b)** An employer, as defined in Section 5 of this Act, that employs more than 50 employees shall provide up to 30 days of unpaid family military leave to an employee during the time federal or State deployment orders are in effect, subject to the conditions set forth in this Section. Family military leave granted under this Act may consist of unpaid leave.

**(c)** The employee shall give at least 14 days notice of the intended date upon which the family military leave will commence if leave will consist of 5 or more consecutive work days. Where able, the employee shall consult with the employer to schedule the leave so as to not unduly disrupt the operations of the employer. Employees taking military family leave for less than 5 consecutive days shall give the employer advanced notice as is practicable. The employer may require certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

**(d)** An employee shall not take leave as provided under this Act unless he or she has exhausted all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the employee, except sick leave and disability leave.

**Section 15. Employee benefits protection.**

**(a)** Any employee who exercises the right to family military leave under this Act, upon expiration of the leave, shall be entitled to be restored by the employer to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment. This Section does not apply if the employer proves that the employee was not restored as provided in this Section because of conditions unrelated to the employee's exercise of rights under this Act.

**(b)** During any family military leave taken under this Act, the employer shall make it possible for employees to continue their benefits at the employee's expense. The employer and employee may negotiate for the employer to maintain benefits at the employer's expense for the duration of the leave.

**Section 20.** Effect on existing employee benefits.

**(a)** Taking family military leave under this Act shall not result in the loss of any employee benefit accrued before the date on which the leave commenced.

**(b)** Nothing in this Act shall be construed to affect an employer's obligation to comply with any collective bargaining agreement or employee benefit plan that provides greater leave rights to employees than the rights provided under this Act.

**(c)** The family military leave rights provided under this Act shall not be diminished by any collective bargaining agreement or employee benefit plan.

**(d)** Nothing in this Act shall be construed to affect or diminish the contract rights or seniority status of any other employee of any employer covered under this Act.

**Section 25.** Prohibited acts.

**(a)** An employer shall not interfere with, restrain, or deny the exercise or the attempt to exercise any right provided under this Act.

**(b)** An employer shall not discharge, fine, suspend, expel, discipline or in any other manner discriminate against any employee that exercises any right provided under this Act.

**(c)** An employer shall not discharge, fine, suspend, expel, discipline or in any other manner discriminate against any employee for opposing any practice made unlawful by this Act.

**Section 30.** Enforcement.

A civil action may be brought in the circuit court having jurisdiction by an employee to enforce this Act. The circuit court may enjoin any act or practice that violates or may violate this Act and may order any other equitable relief that is necessary and appropriate to redress the violation or to enforce this Act. becoming law.

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Public Act 094-0589

# Servicemembers Civil Relief Act

## A Summary

The Servicemembers Civil Relief Act of 2003 (SCRA), formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940 (SSCRA), is a federal law that provides protections for military members as they enter active duty. It covers issues such as rental agreements, security deposits, prepaid rent, eviction, installment contracts, credit card interest rates, mortgage interest rates, mortgage foreclosure, civil judicial proceedings, automobile leases, life insurance, health insurance and income tax payments.

You should contact your nearest Armed Forces Legal Assistance Program office to see if the SCRA applies. Dependents of servicemembers can also contact or visit local military legal assistance offices where they reside. Please consult the [military legal assistance office locator](#) for each branch of the armed forces.

In order to have your SCRA case reviewed by the Department of Justice (DOJ), you must first seek the assistance of your military legal assistance office. If that office cannot resolve the complaint, it may choose



to forward the complaint to the DOJ. The DOJ then will review the matter to determine whether DOJ action is appropriate.

# Uniformed Services Employment and Reemployment Rights Act of 1994

## What Protections Does It Provide?

USERRA seeks to ensure that members of the uniformed services are entitled to return to their civilian employment upon completion of their service. They should be reinstated with the seniority, status, and rate of pay they would have obtained had they remained continuously employed by their civilian employer. The law also protects individuals from discrimination in hiring, promotion, and retention on the basis of present and future membership in the armed services.

To qualify for USERRA's reemployment rights, a servicemember must meet the following eligibility criteria:

- The servicemember must have left a civilian job;
- The servicemember must have given notice to the employer that he/she was leaving to perform military service;
- The military service must not exceed five years (although there are a few exceptions);
- The servicemember must have had an honorable discharge; and
- The servicemember must have reported back to work within the appropriate time constraints.

Employers must reemploy returning servicemembers in the same job that they would have attained had they not been absent for military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Reasonable efforts must be made to enable returning employees to refresh or upgrade their skills to enable them to qualify for reemployment. Additionally, servicemembers are entitled to immediate reinstatement of health insurance for the member and previously covered dependents with no waiting period and no exclusion of preexisting conditions other than those that are military service-related.

Employers must reemploy servicemembers who are disabled because of their military service in a position most nearly approximating their former position if they can no longer perform that job.