

House Bill 1810

By: Representatives Mobley of the 69th and Drenner of the 66th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to HOPE scholarships and grants, so as to extend eligibility for the HOPE
3 scholarship to undocumented immigrants; to provide a definition of undocumented
4 immigrant; to provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
8 relating to HOPE scholarships and grants, is amended by adding a new paragraph (26) at the
9 end of Code Section 20-3-519, relating to definitions, to read as follows:

10 "(26) 'Undocumented immigrant' means an individual or, if the individual is under 18
11 years of age, a parent or legal guardian of such individual maintaining a domicile within
12 the State of Georgia for a period of at least 12 months immediately preceding the date of
13 registration at an eligible postsecondary institution who, but for the lack of
14 documentation permitting indefinite or permanent residence, could be classified as a legal
15 resident of Georgia. An individual meeting the requirements of this paragraph shall be
16 deemed a legal resident of Georgia for the purpose of determining initial eligibility for
17 the HOPE scholarship and shall be subject to all other residency requirements established
18 by the Georgia Student Finance Commission."

19 style="text-align:center">**SECTION 2.**

20 Said part is further amended by striking paragraph (1) of Code Section 20-3-519.1, relating
21 to ineligibility, in its entirety and inserting a new paragraph (1) to read as follows:

22 "(1) Is not a United States citizen, an undocumented immigrant, or a permanent resident
23 alien who meets the definition of an eligible noncitizen under federal Title IV
24 requirements;"

1 (b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or
2 baccalaureate degree at an eligible public postsecondary institution shall:

3 (1) Meet residency requirements by meeting the requirements to be classified as a legal
4 resident of Georgia as established by the program regulations promulgated by the Georgia
5 Student Finance Commission which shall be based upon the in-state tuition policy of the
6 board of regents and the in-state tuition guidelines set by the Department of Technical
7 and Adult Education or by meeting the requirements to be classified as an undocumented
8 immigrant as set forth in Code Section 20-3-519;

9 (2) Meet achievement standards by meeting the following criteria:

10 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
11 institution at the end of the quarter or semester in which the student has attempted 45
12 quarter hours or 30 semester hours; and

13 (B) Maintaining satisfactory academic progress in a course of study in accordance with
14 the standards and practices used for federal Title IV programs by the postsecondary
15 institution in which the student is enrolled; and

16 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
17 undergraduate student in a matriculated status or, in the case of an otherwise eligible
18 student who is classified as a professional level student rather than an undergraduate
19 student, being accepted into the professional level program of study prior to receiving a
20 baccalaureate degree.

21 (c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate degree
22 at a public postsecondary institution shall:

23 (1) Meet residency requirements by meeting the requirements to be classified as a legal
24 resident of Georgia as established by the program regulations promulgated by the Georgia
25 Student Finance Commission which shall be based upon the in-state tuition policy of the
26 board of regents and the in-state tuition guidelines set by the Department of Technical
27 and Adult Education or by meeting the requirements to be classified as an undocumented
28 immigrant as set forth in Code Section 20-3-519;

29 (2) Meet achievement standards by meeting the following criteria:

30 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
31 institution at the end of the quarter or semester in which the student has attempted 90
32 quarter hours or 60 semester hours; and

33 (B) Maintaining satisfactory academic progress in a course of study in accordance with
34 the standards and practices used for federal Title IV programs by the postsecondary
35 institution in which the student is enrolled; and

36 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
37 undergraduate student in a matriculated status or, in the case of an otherwise eligible

1 student who is classified as a professional level student rather than an undergraduate
2 student, being accepted into the professional level program of study prior to receiving a
3 baccalaureate degree.

4 (d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate degree
5 at a public postsecondary institution shall:

6 (1) Meet residency requirements by meeting the requirements to be classified as a legal
7 resident of Georgia as established by the program regulations promulgated by the Georgia
8 Student Finance Commission which shall be based upon the in-state tuition policy of the
9 board of regents and the in-state tuition guidelines set by the Department of Technical
10 and Adult Education or by meeting the requirements to be classified as an undocumented
11 immigrant as set forth in Code Section 20-3-519;

12 (2) Meet achievement standards by meeting the following criteria:

13 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
14 institution at the end of the quarter or semester in which the student has attempted 135
15 quarter hours or 90 semester hours; and

16 (B) Maintaining satisfactory academic progress in a course of study in accordance with
17 the standards and practices used for federal Title IV programs by the postsecondary
18 institution in which the student is enrolled; and

19 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
20 undergraduate student in a matriculated status or, in the case of an otherwise eligible
21 student who is classified as a professional level student rather than an undergraduate
22 student, being accepted into the professional level program of study prior to receiving a
23 baccalaureate degree.

24 (e) A student who fails to maintain a cumulative grade point average of at least 3.0 at the
25 end of the quarter or semester in which the student has attempted 45 quarter hours or 30
26 semester hours may attend the next 45 quarter or 30 semester hours without a HOPE
27 scholarship. An otherwise eligible student who regains a cumulative grade point average
28 of at least 3.0 at the end of a quarter or semester in which the student has attempted 90
29 quarter hours or 135 quarter hours or 60 semester hours or 90 semester hours may requalify
30 for a HOPE scholarship.

31 (f) For students eligible for a HOPE scholarship under this Code section, no minimum
32 number of hours of enrollment is required.

33 (g)(1) Except as set out in paragraph (2) of this subsection, a student may receive the
34 HOPE scholarship until the first of these events:

35 (A) The student has earned a baccalaureate degree; or

36 (B) The student has attempted at any postsecondary institution a total of 190 quarter
37 hours or 127 semester hours.

1 (2) A student enrolled in an undergraduate degree program designed to be more than 190
 2 quarter hours or 127 semester hours in length is eligible to receive the HOPE scholarship
 3 for the lesser of:

4 (A) A total of 225 attempted quarter hours or 150 attempted semester hours; or

5 (B) The number of hours required for graduation if the student has a 3.0 cumulative
 6 grade point average of at least 3.0 after the term in which the student attempted 190
 7 quarter hours or 127 semester hours.

8 (h) Subject to the amounts appropriated by the General Assembly and provisions relating
 9 to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE
 10 scholarship awarded under this Code section shall include tuition, approved mandatory
 11 fees, and a book allowance not to exceed \$100.00 per quarter or \$150.00 per semester."

12 SECTION 4.

13 Said part is further amended by striking Code Section 20-3-519.3, relating to eligibility, in
 14 its entirety and inserting in lieu thereof the following:

15 "20-3-519.3.

16 (a) To be eligible for a HOPE scholarship, an entering freshman student seeking an
 17 associate or baccalaureate degree at an eligible private postsecondary institution shall:

18 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 19 resident of Georgia as established by the program regulations promulgated by the Georgia
 20 Student Finance Commission or by meeting the requirements to be classified as an
 21 undocumented immigrant as set forth in Code Section 20-3-519;

22 (2) Meet achievement standards by:

23 (A) Having graduated from an eligible high school while meeting the curriculum
 24 requirements of his or her program of study in 1996 or thereafter and meeting the
 25 requirements set out in the applicable paragraph of subsection (b) of Code Section
 26 20-2-157; or

27 (B) In the case of a student who is otherwise qualified but:

28 (i) Did not graduate from high school or complete a home study program meeting the
 29 requirements of subsection (c) of Code Section 20-2-690, having received the general
 30 educational development (GED) diploma awarded by the Georgia Department of
 31 Technical and Adult Education after June 30, 1993;

32 (ii) Completed a home study program meeting the requirements of subsection (c) of
 33 Code Section 20-2-690 in lieu of graduating from an eligible high school, earning a
 34 cumulative grade point average of at least 3.0 at an eligible public postsecondary
 35 institution at the end of the quarter or semester in which the student has attempted 45
 36 quarter hours or 30 semester hours, provided that such student shall be eligible to

1 receive a retroactive HOPE scholarship for such student's freshman year to be paid
2 at the end of the freshman year; or

3 (iii) Graduated from a high school which is not an eligible high school, earning a
4 cumulative grade point average of at least 3.0 at an eligible public postsecondary
5 institution at the end of the quarter or semester in which the student has attempted 45
6 quarter hours or 30 semester hours, provided that such student shall be eligible to
7 receive a retroactive HOPE scholarship for such student's freshman year to be paid
8 at the end of the freshman year; and

9 (3) Meet enrollment standards by:

10 (A) Being admitted, enrolled, and classified as an undergraduate student in a
11 matriculated status; and

12 (B) Being registered for and attending classes as a full-time student for 14 days or
13 more after the last day of the institution's drop and add period.

14 (b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or
15 baccalaureate degree at an eligible private postsecondary institution shall:

16 (1) Meet residency requirements by meeting the requirements to be classified as a legal
17 resident of Georgia as established by the program regulations promulgated by the Georgia
18 Student Finance Commission or by meeting the requirements to be classified as an
19 undocumented immigrant as set forth in Code Section 20-3-519;

20 (2) Meet achievement standards by meeting the following criteria:

21 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
22 institution at the end of the quarter or semester in which the student has attempted 45
23 quarter hours or 30 semester hours; and

24 (B) Maintaining satisfactory academic progress in a course of study in accordance with
25 the standards and practices used for federal Title IV programs by the postsecondary
26 institution in which the student is enrolled; and

27 (3) Meet enrollment standards by:

28 (A) Being admitted, enrolled, and classified as an undergraduate student in a
29 matriculated status or, in the case of an otherwise eligible student who is classified as
30 a professional level student rather than an undergraduate student, being accepted into
31 the professional level program of study prior to receiving a baccalaureate degree; and

32 (B) Being registered for and attending classes as a full-time student for 14 days or
33 more after the last day of the institution's drop and add period.

34 (c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate degree
35 at an eligible private postsecondary institution shall:

36 (1) Meet residency requirements by meeting the requirements to be classified as a legal
37 resident of Georgia as established by the program regulations promulgated by the Georgia

1 Student Finance Commission or by meeting the requirements to be classified as an
 2 undocumented immigrant as set forth in Code Section 20-3-519;

3 (2) Meet achievement standards by meeting the following criteria:

4 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
 5 institution at the end of the quarter or semester in which the student has attempted 90
 6 quarter hours or 60 semester hours; and

7 (B) Maintaining satisfactory academic progress in a course of study in accordance with
 8 the standards and practices used for federal Title IV programs by the postsecondary
 9 institution in which the student is enrolled; and

10 (3) Meet enrollment standards by:

11 (A) Being admitted, enrolled, and classified as an undergraduate student in a
 12 matriculated status or provided that in the case of an otherwise eligible student who is
 13 classified as a professional level student rather than an undergraduate student, have
 14 been accepted into the professional level program of study prior to receiving a
 15 baccalaureate degree; and

16 (B) Being registered for and attending classes as a full-time student for 14 days or
 17 more after the last day of the institution's drop and add period.

18 (d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate degree
 19 at an eligible private postsecondary institution shall:

20 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 21 resident of Georgia as established by the program regulations promulgated by the Georgia
 22 Student Finance Commission which shall be based upon the in-state tuition policy of the
 23 board of regents and the in-state tuition guidelines set by the Department of Technical
 24 and Adult Education or by meeting the requirements to be classified as an undocumented
 25 immigrant as set forth in Code Section 20-3-519;

26 (2) Meet achievement standards by meeting the following criteria:

27 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
 28 institution at the end of the quarter or semester in which the student has attempted 135
 29 quarter hours or 90 semester hours; and

30 (B) Maintaining satisfactory academic progress in a course of study in accordance with
 31 the standards and practices used for federal Title IV programs by the postsecondary
 32 institution in which the student is enrolled; and

33 (3) Meet enrollment standards by:

34 (A) Being admitted, enrolled, and classified as an undergraduate student in a
 35 matriculated status or, in the case of an otherwise eligible student who is classified as
 36 a professional level student rather than an undergraduate student, being accepted into
 37 the professional level program of study prior to receiving a baccalaureate degree; and

1 (B) Being registered for and attending classes as a full-time student for 14 days or
2 more after the last day of the institution's drop and add period.

3 (e) An otherwise eligible student who fails to maintain a cumulative grade point average
4 of at least 3.0 at the end of the quarter or semester in which the student has attempted 45
5 quarter hours or 30 semester hours may attend the next 45 quarter hours or 30 semester
6 hours without a HOPE scholarship. A student who regains a cumulative grade point
7 average of at least 3.0 at end of the quarter or semester in which the student has attempted
8 90 quarter hours or 60 semester hours may requalify for a HOPE scholarship. A student
9 who regains a cumulative grade point average of at least 3.0 at the end of the quarter or
10 semester in which the student has attempted 135 quarter hours or 90 semester hours may
11 requalify for a HOPE scholarship.

12 (f)(1) Except as set out in paragraph (2) of this subsection, a student may receive a
13 HOPE scholarship until the first of these events:

14 (A) The student has earned a baccalaureate degree; or

15 (B) The student has attempted at any postsecondary institution a total of 190 quarter
16 hours or 127 semester hours.

17 (2) A student enrolled in an undergraduate degree program designed to be more than 190
18 quarter hours or 127 semester hours in length is eligible to receive a HOPE scholarship
19 for the lesser of:

20 (A) A total of 225 attempted quarter hours or 150 attempted semester hours; or

21 (B) The number of hours required for graduation if the student has a cumulative grade
22 point average of at least 3.0 after the term in which the student attempted 190 quarter
23 hours or 127 semester hours.

24 (g) Subject to the amounts appropriated by the General Assembly and provisions relating
25 to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE
26 scholarship awarded under this Code section shall be not less than \$3,000.00 for any
27 academic year."

28 SECTION 5.

29 Said part is further amended by striking paragraph (1) of subsection (a) of Code Section
30 20-3-519.5, relating to eligibility, in its entirety and inserting in lieu thereof the following:

31 "(1) Meet residency requirements by meeting the requirements to be classified as a legal
32 resident of Georgia as established by the program promulgated by the Georgia Student
33 Finance Commission which shall be based upon the in-state tuition policy of the board
34 of regents and the in-state tuition guidelines set by the Department of Technical and
35 Adult Education or by meeting the requirements to be classified as an undocumented
36 immigrant as set forth in Code Section 20-3-519; and "

