

House Bill 342

By: Representatives McBee of the 74th, Porter of the 119th and Gardner of the 42nd, Post 3

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to
2 postsecondary education, so as to authorize tuition equalization grants for part-time students;
3 to provide for reduced grants to part-time students; to change residency requirements for
4 student eligibility for tuition equalization grants; to remove a restriction on tuition
5 equalization grants for summer school; to change the residency requirements for eligibility
6 for HOPE scholarships for students attending a private postsecondary institution; to change
7 the amount of the HOPE scholarship for eligible students attending a private postsecondary
8 institution; to provide for an exception; to provide for related matters; to repeal conflicting
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary
13 education, is amended in Code Section 20-3-411, relating to definitions relative to tuition
14 equalization grants, by striking paragraph (3) and inserting in lieu thereof the following:

15 "(3) 'Eligible student' means a person who:

16 (A) Is enrolled in or accepted for enrollment as ~~a full-time~~ an undergraduate level
17 student in an approved school or as a graduate level student if funds are specifically
18 appropriated in appropriations Acts of the General Assembly for payment of grants to
19 graduate level students;

20 (B) ~~Is or will be a citizen of Georgia for a period of at least 12 months immediately~~
21 ~~prior to each date of registration in the approved school~~ Meets requirements to be
22 classified as a legal resident of Georgia as established by the program regulations
23 promulgated by the Georgia Student Finance Commission for HOPE scholarship
24 eligibility, which regulations shall be based upon the in-state tuition policy of the board
25 of regents;

(C) Is not knowingly promoting or engaging in any activity which is determined by the approved school's governing body to be detrimental to the school; and

(D) In the case of an approved school located outside the State of Georgia, is enrolled or accepted for enrollment therein at an academic level beyond the sophomore academic classification and whose home residence is, by the nearest practical route of travel, located within 50 road miles of the approved school and more than 50 road miles from the nearest four-year institution of the University System of Georgia."

SECTION 2.

Said chapter is further amended by striking Code Section 20-3-412, relating to entitlements to grants as specified in appropriations Acts and restrictions on grants, and inserting in lieu thereof the following:

"20-3-412.

Each eligible student is entitled to a tuition equalization grant each academic year, as specified in appropriations Acts of the General Assembly. ~~No grant shall be made to a student for study during the period of any summer school quarter or semester unless specifically authorized in appropriations Acts of the General Assembly.~~ No grants shall be made to graduate students unless specifically authorized in appropriations Acts of the General Assembly. It is the intent of the General Assembly and the purpose of this program to provide tuition equalization grants to all Georgia students attending approved schools at all levels and throughout the entire calendar year whenever sufficient funds are available to the state. ~~No grant shall be made to any student not enrolled as a full-time student.~~ Grants to students who are not enrolled as full-time students shall be reduced so that the proportion between the grant for a full-time student and the grant for a part-time student is equivalent to the proportion between the number of quarter or semester hours taken by a full-time student and the number of quarter or semester hours taken by the part-time student."

SECTION 3.

Said chapter is further amended by striking Code Section 20-3-413, relating to applications for and payment of grants, certifications of eligibility, and refunds of grants, and inserting in lieu thereof the following:

"20-3-413.

Each eligible student wishing to receive payment of the grant provided for in this subpart shall submit to the school an application for the grant payment at the time and in accordance with procedures prescribed by the authority. The authority is authorized to define such terms and prescribe such rules, regulations, and procedures as may be

1 reasonable and necessary to carry out the purposes of this subpart. The authority shall not
2 approve payment of any grant until it has received from an appropriate officer of the
3 approved school a certification that the student applying for the grant is an eligible student.
4 Upon timely receipt of such certification, in proper form, the authority is authorized to pay
5 the grant to the approved school on behalf of and to the credit of the student. In the event
6 a student on whose behalf a grant is paid shall not enroll as a ~~full-time~~ student for the
7 school term for which the grant is paid, the school shall make a refund to the authority in
8 accordance with regulations of the authority."

9 SECTION 4.

10 Said chapter is further amended in Code Section 20-3-519.3, relating to HOPE scholarship
11 eligibility requirements for students attending private postsecondary institutions, by striking
12 the introductory language and paragraph (1) of subsections (a), (b), (c), and (d) and by
13 striking subsection (g) and inserting in lieu thereof the following:

14 "(a) To be eligible for a HOPE scholarship, an entering freshman student seeking an
15 associate or 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, which regulations shall be based upon the in-state tuition
19 policy of the board of regents;".

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

22 (1) Meet residency requirements by meeting the requirements to be classified as a legal
23 resident of Georgia as established by the program regulations promulgated by the Georgia
24 Student Finance Commission, which regulations shall be based upon the in-state tuition
25 policy of the board of regents;".

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

28 (1) Meet residency requirements by meeting the requirements to be classified as a legal
29 resident of Georgia as established by the program regulations promulgated by the Georgia
30 Student Finance Commission, which regulations shall be based upon the in-state tuition
31 policy of the board of regents;".

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

34 (1) Meet residency requirements by meeting the requirements to be classified as a legal
35 resident of Georgia as established by the program regulations promulgated by the Georgia
36 Student Finance Commission which shall be based upon the in-state tuition policy of the

1 board of regents ~~and the in-state tuition guidelines set by the Department of Technical~~
2 ~~and Adult Education;~~".

3 "(g) Subject to the amounts appropriated by the General Assembly and provisions relating
4 to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE
5 scholarship awarded under this Code section shall be not less than \$3,000.00 for any
6 ~~academic year~~ the cost of tuition and mandatory fees for a full-time student at the
7 University of Georgia for an academic year. Notwithstanding the provisions of this
8 subsection, the HOPE scholarship for an eligible student attending a private postsecondary
9 institution shall not exceed the total tuition and mandatory fees at such institution."

10 **SECTION 5.**

11 All laws and parts of laws in conflict with this Act are repealed.