

The Senate Higher Education Committee offered the following substitute to SB 244:

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 change residency requirements for student eligibility for tuition equalization grants; to  
4 remove a restriction on tuition equalization grants for summer school; to provide a limitation  
5 on the total number of semester hours or quarter hours an eligible student may receive a  
6 tuition equalization grant; to change the residency requirements for eligibility for HOPE  
7 scholarships for students attending a private postsecondary institution; to change the amount  
8 of the HOPE scholarship for eligible students attending a private postsecondary institution;  
9 to provide for an exception; to provide for related matters; to repeal conflicting laws; and for  
10 other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**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;  
26

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

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

## 8 SECTION 2.

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

12 "20-3-412.

13 Each eligible student is entitled to a tuition equalization grant each academic year, as  
14 specified in appropriations Acts of the General Assembly. ~~No grant shall be made to a~~  
15 ~~student for study during the period of any summer school quarter or semester unless~~  
16 ~~specifically authorized in appropriations Acts of the General Assembly.~~ No grants shall be  
17 made to graduate students unless specifically authorized in appropriations Acts of the  
18 General Assembly. It is the intent of the General Assembly and the purpose of this program  
19 to provide tuition equalization grants to all Georgia students attending approved schools  
20 at all levels and throughout the entire calendar year whenever sufficient funds are available  
21 to the state. In no event shall an eligible student receive a tuition equalization grant for  
22 more than 127 semester hours or 190 quarter hours of his or her undergraduate program.  
23 ~~No grant shall be made to any student not enrolled as a full-time student."~~

## 24 SECTION 3.

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

28 "20-3-413.

29 Each eligible student wishing to receive payment of the grant provided for in this subpart  
30 shall submit to the school an application for the grant payment at the time and in  
31 accordance with procedures prescribed by the authority. The authority is authorized to  
32 define such terms and prescribe such rules, regulations, and procedures as may be  
33 reasonable and necessary to carry out the purposes of this subpart. The authority shall not  
34 approve payment of any grant until it has received from an appropriate officer of the  
35 approved school a certification that the student applying for the grant is an eligible student.

1 Upon timely receipt of such certification, in proper form, the authority is authorized to pay  
 2 the grant to the approved school on behalf of and to the credit of the student. In the event  
 3 a student on whose behalf a grant is paid shall not enroll as a ~~full-time~~ student for the  
 4 school term for which the grant is paid, the school shall make a refund to the authority in  
 5 accordance with regulations of the authority."

#### 6 SECTION 4.

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

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

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

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

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

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

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

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

31 (1) Meet residency requirements by meeting the requirements to be classified as a legal  
 32 resident of Georgia as established by the program regulations promulgated by the Georgia  
 33 Student Finance Commission which shall be based upon the in-state tuition policy of the  
 34 board of regents ~~and the in-state tuition guidelines set by the Department of Technical~~  
 35 ~~and Adult Education;~~".

