

House Bill 1584

By: Representatives Lane of the 101st and Purcell of the 122nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
2 relating to scholarships, loans, and grants for attending institutes of postsecondary education,
3 so as to revise provisions relating to ineligibility for HOPE scholarships and grants; to
4 require notice of such provisions on the applications for such scholarships and grants; to
5 require signature of an affidavit pledging to be drug-free; to provide for ineligibility if a
6 recipient tests positive for the presence of marijuana, dangerous drugs, or controlled
7 substances; to provide for opportunity for hearing and appeal; to provide for related matters;
8 to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to
12 scholarships, loans, and grants for attending institutes of postsecondary education, is
13 amended in Part 7, relating to HOPE scholarships and grants, by striking Code Section
14 20-3-519.1, relating to ineligibility for HOPE scholarships and grants, and inserting in lieu
15 thereof the following:

16 "20-3-519.1.

17 (a) A student is ineligible for any scholarship or grant described in this part if the student:

- 18 (1) Is not a United States citizen or a permanent resident alien who meets the definition
19 of an eligible noncitizen under federal Title IV requirements;
- 20 (2) Has not complied with United States Selective Service System requirements for
21 registration, if such requirements are applicable to the student;
- 22 (3) Is in default on a federal Title IV educational loan or a State of Georgia educational
23 loan, provided that a student who is otherwise eligible and has fully repaid the defaulted
24 loan will be eligible to obtain a scholarship or grant for future academic terms but not
25 retroactively;

1 (4) Owes a refund on a federal Title IV student financial aid program or a Georgia
2 student financial aid program, provided that a student who is otherwise eligible and has
3 fully paid the refund owed will be eligible to obtain a scholarship or grant for future
4 academic terms but not retroactively;

5 (5) Has been convicted of a felony offense involving marijuana, a controlled substance,
6 or a dangerous drug as set out in Code Section 20-1-23 or 20-1-24 of the 'Drug-free
7 Postsecondary Education Act of 1990,' provided that such ineligibility extends from the
8 date of conviction to the completion of the next academic term;

9 (6) Is incarcerated; or

10 (7) Does not meet each qualification listed in the Code section relating to the relevant
11 scholarship or grant and applicable to the student.

12 (b) Each application for a HOPE scholarship or grant shall include a summary of the
13 provisions for ineligibility set out in this Code section, and an affidavit for signature by the
14 student pledging to be 'Drug-Free' while receiving a HOPE scholarship or grant with regard
15 to marijuana, dangerous drugs, or controlled substances, as such terms are defined in
16 Chapter 13 of Title 16. An applicant shall be ineligible for HOPE scholarships and grants
17 until he or she signs such affidavit.

18 (c) A recipient of a HOPE scholarship or grant who is tested for the presence of marijuana,
19 dangerous drugs, or controlled substances will become ineligible for HOPE scholarships
20 and grants if the results of such test indicate the presence of marijuana, any dangerous drug,
21 or any controlled substance. Such ineligibility shall extend to the completion of the next
22 academic term. Ineligibility imposed in accordance with this subsection shall be considered
23 a contested case in accordance with the provisions of Chapter 13 of Title 50, the 'Georgia
24 Administrative Procedure Act,' and the recipient student shall have an opportunity for
25 hearing, appeal, and other rights set out in such chapter."

26 SECTION 2.

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