

Senate Bill 471

By: Senators Hamrick of the 30th, Kemp of the 46th, Hill of the 4th and Williams of the 19th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED**

**AN ACT**

1 To amend Chapters 2 and 3 of Title 20 of the Official Code of Georgia Annotated, relating  
 2 to elementary and secondary education and to postsecondary education, respectively, so as  
 3 to change the reporting system and method for determining eligibility for HOPE  
 4 scholarships, other scholarships, grants, or loan assistance, and certain postsecondary courses  
 5 and advanced placement courses for students enrolling as freshmen in eligible public or  
 6 private postsecondary institutions on or after May 1, 2007; to delete obsolete provisions; to  
 7 provide that residency requirements for HOPE scholarships and HOPE grants shall be  
 8 established by regulations of the Georgia Student Finance Commission; to provide for loss  
 9 of eligibility for the HOPE scholarship for any student who does not possess at least a  
 10 cumulative 3.0 grade point average at the end of each spring quarter or semester; to provide  
 11 for restoration of such eligibility; to provide for changes to the amount of HOPE scholarships  
 12 and grants under certain conditions; to provide for HOPE scholarships for majors of study  
 13 in religion, theology, pre-theology, comparative religion, or pastoral ministries; to provide  
 14 for a limitation on quarter hours or semester hours of eligibility for HOPE grants and  
 15 eligibility for combined HOPE scholarships and grants; to prohibit the award of HOPE grants  
 16 to any person who possesses a bachelor's degree or higher; to provide for exceptions; to  
 17 amend Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating  
 18 to general provisions relative to lottery for education, so as to change certain provisions  
 19 relating to the scholarship shortfall reserve subaccount; to provide for changes to the amount  
 20 of a HOPE scholarship or grant under certain conditions; to create the Lottery for Education  
 21 Legislative Oversight Committee; to provide for membership and duties of such oversight  
 22 committee; to provide for related matters; to repeal conflicting laws; and for other purposes.

23 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

24 **SECTION 1.**

25 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
 26 secondary education, is amended by striking Code Section 20-2-157, relating to the uniform  
 27 reporting system for specified purposes, and inserting in lieu thereof the following:

S. B. 471

1 "20-2-157.

2 (a) It is the intent of the General Assembly to establish a uniform reporting system to be  
3 used as one of the criteria to determine eligibility of students seeking enrollment in  
4 postsecondary courses pursuant to Code Section 20-2-161.1 or seeking educational  
5 scholarships, grants, or loan assistance administered by the Georgia Student Finance  
6 Commission pursuant to Article 7 of Chapter 3 of this title.

7 (b) Beginning May 1, 2007, each ~~Each~~ school system and private school shall adopt the  
8 ~~following~~ reporting system described in this subsection for purposes of identifying and  
9 qualifying graduating seniors for the HOPE scholarship program and other programs  
10 identified in this Code section:

11 (1) ~~A final grade average of at least an 80 numeric average, provided the student meets~~  
12 ~~the college preparatory curriculum requirements~~ Each school system and private school  
13 shall transmit, in a manner and at times prescribed by the Georgia Student Finance  
14 Commission, an electronic transcript of courses and course grades for each graduating  
15 senior that reflects the complete high school academic record of the student, including  
16 scores on any state tests required for graduation, the grading scales used by the school  
17 system or private school for the time periods referenced by the transcripts, and any other  
18 pertinent information as determined by the Georgia Student Finance Commission. Each  
19 grade reported by a school system or private school to the commission for the purpose  
20 of calculating the grade point average for HOPE scholarship eligibility shall be the actual  
21 grade earned by the student, with no weighting or addition of points by the local school  
22 system or private school;

23 (2) ~~A final grade average of at least an 85 numeric average, if the student meets the~~  
24 ~~career/technical curriculum requirements~~ The Georgia Student Finance Commission shall  
25 calculate a grade point average for the purpose of determining eligibility for the HOPE  
26 scholarship from these electronic transcripts and shall notify students of their eligibility  
27 and high schools as to the eligibility of students;

28 (3) ~~For students graduating from high school in 2000 or thereafter, a final grade average~~  
29 ~~of at least an 80 numeric average in their core curriculum subjects, provided that the~~  
30 ~~student meets the college preparatory curriculum requirements~~ For students otherwise  
31 qualified and enrolling as freshmen students in eligible public or private postsecondary  
32 institutions for the first time on May 1, 2007, or thereafter, the Georgia Student Finance  
33 Commission shall calculate grade point averages for determining eligibility for the HOPE  
34 scholarship and other scholarships referenced in this Code section as follows:

35 (A) For students receiving a college preparatory diploma, each grade for a student in  
36 attempted coursework in English, mathematics, science, social studies, and foreign  
37 language that would, if successfully completed, satisfy a core graduation requirement

1 for the college preparatory curriculum shall be equated to a grade on a 4.0 scale, such  
 2 that a grade of 'A' = 4.0, a grade of 'B' = 3.0, a grade of 'C' = 2.0, a grade of 'D' = 1.0,  
 3 and a grade of 'F' = 0; or

4 (B) For students receiving a career/technical diploma, each grade for a student in  
 5 attempted coursework in English, mathematics, science, and social studies that would,  
 6 if successfully completed, satisfy a core graduation requirement for the career/technical  
 7 curriculum shall be equated to a grade on a 4.0 scale, such that a grade of 'A' = 4.0, a  
 8 grade of 'B' = 3.0, a grade of 'C' = 2.0, a grade of 'D' = 1.0, and a grade of 'F' = 0.

9 Grades for coursework that is classified as advanced placement or international  
 10 baccalaureate shall be weighted by the Georgia Student Finance Commission in  
 11 calculating the overall grade point averages for students, provided that the weighting of  
 12 such course grades is uniformly applied to all students in the state taking the specified  
 13 coursework. The sum of the equated grades shall be divided by the number of course  
 14 grades, adjusted for term length, to yield a grade point average on a 4.0 scale; or

15 (4) For students graduating from high school in 2000 or thereafter, a final grade average  
 16 of at least an 85 numeric average in their core curriculum subjects if the student meets the  
 17 career/technical curriculum requirements. Qualification for the HOPE scholarship shall  
 18 be determined from the grade point average calculated as set out in paragraph (3) of this  
 19 subsection. Beginning May 1, 2007, students with grade point averages equal to or in  
 20 excess of 3.0 on the 4.0 scale with a college preparatory diploma shall meet achievement  
 21 standards for the HOPE scholarship; students receiving a career/technical diploma shall  
 22 meet achievement standards for the HOPE scholarship with a grade point average equal  
 23 to or in excess of 3.2 on a 4.0 scale. This paragraph shall apply regardless of when a  
 24 student graduated from high school and regardless of such student's eligibility status prior  
 25 to May 1, 2007; and

26 (5) Beginning May 1, 2007, only ~~Only~~ the reporting system as indicated in this  
 27 subsection shall be used to determine eligibility for all grants, scholarships, or loans to  
 28 attend colleges or universities which are administered pursuant to Article 7 of Chapter  
 29 3 of this title and eligibility for enrollment in postsecondary courses pursuant to Code  
 30 Section 20-2-161.1.

31 (c)(1) Prior to May 1, 2007, each school system shall adopt the following reporting  
 32 system for purposes of identifying and qualifying graduating seniors for the HOPE  
 33 scholarship program and other programs identified in this Code section:

34 (A) A final grade average of at least an 80 numeric average in their core curriculum  
 35 subjects, provided that the student meets the college preparatory curriculum  
 36 requirements; or

1 (B) A final grade average of at least an 85 numeric average in their core curriculum  
 2 subjects if the student meets the career/technical curriculum requirements.

3 (2) Prior to May 1, 2007, only the reporting system as indicated in this subsection shall  
 4 be used to determine eligibility for all grants, scholarships, or loans to attend colleges or  
 5 universities which are administered pursuant to Article 7 of Chapter 3 of this title and  
 6 eligibility for enrollment in postsecondary courses pursuant to Code Section 20-2-161.1."

7 **SECTION 2.**

8 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary  
 9 education, is amended by striking paragraph (13) of Code Section 20-3-519, relating to  
 10 definitions, and inserting in lieu thereof the following:

11 "(13) 'HOPE grant' means a Helping Outstanding Pupils Educationally grant for  
 12 education awarded in accordance with Code Section ~~20-3-519.4~~ or 20-3-519.5."

13 **SECTION 3.**

14 Said chapter is further amended by striking Code Section 20-3-519.2, relating to eligibility  
 15 requirements for HOPE scholarships at public postsecondary institutions, and inserting in  
 16 lieu thereof the following:

17 "20-3-519.2.

18 (a) To be eligible for a HOPE scholarship, an entering freshman student seeking an  
 19 associate or baccalaureate degree at an eligible public 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;~~

25 (2) Meet achievement standards by:

26 (A) Having graduated from an eligible high school while meeting the curriculum  
 27 requirements of his or her program of study in 1993 or thereafter and meeting the  
 28 requirements set out in the applicable subsection and paragraph of ~~subsection (b) of~~  
 29 Code Section 20-2-157; or

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

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

1 only be eligible for a HOPE scholarship pursuant to subsection (e) of the Code section;

2 (ii) Completed a home study program meeting the requirements of subsection (c) of  
3 Code Section 20-2-690 in lieu of graduating from 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; or

9 (iii) Graduated from a high school which is not an eligible high school, earning a  
10 cumulative grade point average of at least 3.0 at an eligible public 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, provided that such student shall be eligible to  
13 receive a retroactive HOPE scholarship for such student's freshman year to be paid  
14 at the end of the freshman year; and

15 (3) Meet enrollment standards by being admitted, enrolled, and classified as an  
16 undergraduate student in a matriculated status.

17 (b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or  
18 baccalaureate degree at an eligible public 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 shall be based upon the in-state tuition policy of the~~  
22 ~~board of regents and the in-state tuition guidelines set by the Department of Technical~~  
23 ~~and Adult Education;~~

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

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

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

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

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

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

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

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

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

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

18 (d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate degree  
19 at a public 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;~~

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

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

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

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

1 (e)(1) A student who fails to maintain a cumulative grade point average of at least 3.0  
 2 at the end of the quarter or semester in which the student has attempted 45 quarter hours  
 3 or 30 semester hours may attend the next 45 quarter or 30 semester hours without a  
 4 HOPE scholarship. An otherwise eligible student who regains a cumulative grade point  
 5 average of at least 3.0 at the end of a quarter or semester in which the student has  
 6 attempted 90 quarter hours or 135 quarter hours or 60 semester hours or 90 semester  
 7 hours may requalify for a HOPE scholarship.

8 (2) In addition to other requirements, and regardless of quarter hours or semester hours  
 9 of coursework attempted, a student who fails to possess a cumulative grade point average  
 10 of at least 3.0 at the end of each spring quarter or semester shall be ineligible for a HOPE  
 11 scholarship until such time as the student regains or attains a cumulative grade point  
 12 average of at least 3.0 at one of the 45, 90, or 135 quarter hour grade point average  
 13 checkpoints or at one of the 30, 60, or 90 semester hour grade point average checkpoints,  
 14 at which time the student will regain or attain eligibility if other terms and conditions in  
 15 this Code section are also satisfied.

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

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

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

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

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

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

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

30 (h) Subject to the amounts appropriated by the General Assembly and provisions relating  
 31 to the ~~scholarship shortfall reserve subaccount~~ Lottery for Education Account in Code  
 32 Section 50-27-13, a HOPE scholarship awarded under this Code section shall include  
 33 tuition, approved mandatory fees, and a book allowance not to exceed \$100.00 per quarter  
 34 or \$150.00 per semester."

**SECTION 4.**

Said chapter is further amended by striking Code Section 20-3-519.3, relating to eligibility requirements for HOPE scholarships at private postsecondary institutions, and inserting in lieu thereof the following:

"20-3-519.3.

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

(1) Meet residency requirements by meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission;

(2) Meet achievement standards by:

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

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

(i) Did not graduate from high school or complete a home study program meeting the requirements of subsection (c) of Code Section 20-2-690, having received the general educational development (GED) diploma awarded by the Georgia Department of Technical and Adult Education after June 30, 1993, provided that such student shall only be eligible for a HOPE scholarship pursuant to subsection (e) of this Code section;

(ii) Completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 in lieu of graduating from an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public postsecondary institution at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; or

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

(3) Meet enrollment standards by:

- 1 (A) Being admitted, enrolled, and classified as an undergraduate student in a  
2 matriculated status; and
- 3 (B) Being registered for and attending classes as a full-time student for 14 days or  
4 more after the last day of the institution's drop and add period.
- 5 (b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or  
6 baccalaureate degree at an eligible private postsecondary institution shall:
- 7 (1) Meet residency requirements by meeting the requirements to be classified as a legal  
8 resident of Georgia as established by the program regulations promulgated by the Georgia  
9 Student Finance Commission;
- 10 (2) Meet achievement standards by meeting the following criteria:
- 11 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary  
12 institution at the end of the quarter or semester in which the student has attempted 45  
13 quarter hours or 30 semester hours; and
- 14 (B) Maintaining satisfactory academic progress in a course of study in accordance with  
15 the standards and practices used for federal Title IV programs by the postsecondary  
16 institution in which the student is enrolled; and
- 17 (3) Meet enrollment standards by:
- 18 (A) Being admitted, enrolled, and classified as an undergraduate student in a  
19 matriculated status or, in the case of an otherwise eligible student who is classified as  
20 a professional level student rather than an undergraduate student, being accepted into  
21 the professional level program of study prior to receiving a baccalaureate degree; and
- 22 (B) Being registered for and attending classes as a full-time student for 14 days or  
23 more after the last day of the institution's drop and add period.
- 24 (c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate degree  
25 at an eligible private postsecondary institution shall:
- 26 (1) Meet residency requirements by meeting the requirements to be classified as a legal  
27 resident of Georgia as established by the program regulations promulgated by the Georgia  
28 Student Finance Commission;
- 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:

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

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

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

10 (1) Meet residency requirements by meeting the requirements to be classified as a legal  
 11 resident of Georgia as established by the program regulations promulgated by the Georgia  
 12 Student Finance Commission ~~which shall be based upon the in-state tuition policy of the~~  
 13 ~~board of regents and the in-state tuition guidelines set by the Department of Technical~~  
 14 ~~and Adult Education;~~

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

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

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

22 (3) Meet enrollment standards by:

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

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

29 (e)(1) An otherwise eligible student who fails to maintain a cumulative grade point  
 30 average of at least 3.0 at the end of the quarter or semester in which the student has  
 31 attempted 45 quarter hours or 30 semester hours may attend the next 45 quarter hours or  
 32 30 semester hours without a HOPE scholarship. A student who regains a cumulative  
 33 grade point average of at least 3.0 at end of the quarter or semester in which the student  
 34 has attempted 90 quarter hours or 60 semester hours may requalify for a HOPE  
 35 scholarship. A student who regains a cumulative grade point average of at least 3.0 at the  
 36 end of the quarter or semester in which the student has attempted 135 quarter hours or 90  
 37 semester hours may requalify for a HOPE scholarship.

1 (2) In addition to other requirements, and regardless of quarter or semester hours of  
 2 coursework attempted, a student who fails to possess a cumulative grade point average  
 3 of at least 3.0 at the end of each spring quarter or semester shall be ineligible for a HOPE  
 4 scholarship until such time as the student regains or attains a cumulative grade point  
 5 average of at least 3.0 at one of the 45, 90, or 135 quarter hour grade point average  
 6 checkpoints or at one of the 30, 60, or 90 semester hour grade point average checkpoints,  
 7 at which time the student will regain or attain eligibility if other terms and conditions in  
 8 this Code section are also satisfied.

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

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

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

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

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

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

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

## 25 SECTION 5.

26 Said chapter is further amended by striking Code Section 20-3-519.4, relating to terms and  
 27 conditions for receipt of certain HOPE grants at private postsecondary institutions, and  
 28 inserting in lieu thereof the following:

29 "20-3-519.4.

30 ~~(a) An eligible student attending an eligible private postsecondary institution and receiving~~  
 31 ~~a HOPE grant during the 1995-1996 academic year under the terms and conditions of~~  
 32 ~~eligibility effective for students of eligible private postsecondary institutions during such~~  
 33 ~~term will be eligible to continue receiving HOPE grant funds under the same terms and~~  
 34 ~~conditions until the earlier of the following:~~

35 ~~(1) The end of the spring term of 1999; or~~

36 ~~(2) Graduation.~~

1 ~~(b) A student who received the HOPE grant at a private postsecondary institution for at~~  
 2 ~~least one semester or quarter beginning with the summer term of 1995 through the spring~~  
 3 ~~term of 1997 is not eligible for the HOPE scholarship at an eligible postsecondary~~  
 4 ~~institution until a quarter or semester beginning with or after the summer term of 1999.~~  
 5 Nothing in this article shall be construed to preclude the use of HOPE scholarships for  
 6 majors of study in religion, theology, pre-theology, comparative religion, or pastoral  
 7 ministries."

## 8 SECTION 6.

9 Said chapter is further amended by striking Code Section 20-3-519.5, relating to eligibility  
 10 for HOPE grants, and inserting in lieu thereof the following:

11 "20-3-519.5.

12 (a) To be eligible for a HOPE grant, a student seeking a diploma or certificate at a branch  
 13 of the Georgia Department of Technical and Adult Education or a unit of the University  
 14 System of Georgia shall:

15 (1) Meet residency requirements by meeting the requirements to be classified as a legal  
 16 resident of Georgia as established by the program promulgated by the Georgia Student  
 17 Finance Commission ~~which shall be based upon the in-state tuition policy of the board~~  
 18 ~~of regents and the in-state tuition guidelines set by the Department of Technical and~~  
 19 ~~Adult Education;~~ and

20 (2) Meet enrollment standards by being admitted, enrolled, and classified as an  
 21 undergraduate student in a matriculated status in a program of study leading to a  
 22 certificate or diploma and maintaining satisfactory academic progress in accordance with  
 23 the standards and practices used for federal Title IV programs by the institution at which  
 24 the student is enrolled.

25 (b) There is no minimum number of hours of enrollment required for eligibility for a  
 26 HOPE grant under this Code section.

27 (c) Subject to the provisions of subsection (e) of this Code section, an An eligible student  
 28 may receive HOPE grants for all course work required by the institution for programs of  
 29 study leading to a certificate or diploma, including remedial or developmental studies.

30 (d) Subject to the amounts appropriated by the General Assembly and provisions relating  
 31 to the ~~scholarship shortfall reserve subaccount~~ Lottery for Education Account in Code  
 32 Section 50-27-13, a HOPE grant awarded under this Code section shall include tuition,  
 33 approved mandatory fees, and a book allowance not to exceed \$100.00 per quarter or  
 34 \$150.00 per semester.

35 (e) No student may receive HOPE grants for more than 95 quarter hours or 63 semester  
 36 hours of attempted coursework. No student may receive more than a cumulative total of

1 190 quarter hours or 127 semester hours of combined HOPE scholarships and grants,  
 2 unless in accordance with Code Sections 20-3-519.2 and 20-3-519.3.  
 3 (f) No person who possesses a bachelor's, master's, or doctorate degree may receive a  
 4 HOPE grant."

#### 5 SECTION 7.

6 Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to  
 7 general provisions relative to lottery for education, is amended in Code Section 50-27-13,  
 8 relating to disposition of lottery proceeds, budget report by the Governor, appropriations by  
 9 the General Assembly, and the shortfall reserve subaccount, by striking paragraph (3) of  
 10 subsection (b) and inserting a new paragraph (3) and by inserting a new paragraph (5) of  
 11 subsection (b) to read as follows:

12 "(3) A scholarship shortfall reserve subaccount shall be maintained within the Lottery  
 13 for Education Account. An amount equal to 10 percent of the total amount of lottery  
 14 proceeds disbursed during the preceding fiscal year in the form of scholarships and grants  
 15 for higher education shall be deposited from lottery proceeds each year until such amount  
 16 equals 50 percent of such sum. Thereafter, only an amount necessary to maintain the  
 17 scholarship shortfall reserve subaccount in an amount equal to 50 percent of the amount  
 18 of lottery proceeds disbursed during the preceding fiscal year shall be deposited into the  
 19 subaccount. If the net proceeds paid into the Lottery for Education Account in any year  
 20 are not sufficient to meet the amount appropriated for higher education scholarships, the  
 21 shortfall reserve subaccount may be drawn upon to meet the deficiency. In the event it  
 22 becomes necessary to draw from the reserve subaccount in any fiscal year, the  
 23 scholarship program shall be reviewed and shall be reduced to accommodate available  
 24 lottery proceeds, exclusive of the scholarship shortfall reserve subaccount, through such  
 25 methods as reducing the family income cap qualification, reducing or eliminating grants  
 26 for student fees and books, paying an amount up to but not to exceed actual tuition, and  
 27 reducing the academic years funded."

28 "(5)(A) For purposes of this subsection, the term 'year-end balance' shall mean the  
 29 amount, as determined by the state auditor, of unexpended and uncommitted funds in  
 30 the Lottery for Education Account at the end of a fiscal year, which shall not include  
 31 amounts contained in the subaccounts provided for in paragraphs (3) and (4) of this  
 32 subsection.

33 (B) In the event that the year-end balance of a fiscal year is less than the year-end  
 34 balance of the fiscal year immediately preceding, then all scholarships and grants for  
 35 mandatory fees under Part 7 of Article 7 of Chapter 3 of Title 20 shall not exceed  
 36 \$500.00 per year beginning in the subsequent fiscal year and thereafter. In the event

1 that the year-end balance of any subsequent fiscal year is less than the year-end balance  
 2 of the fiscal year immediately preceding, then all scholarships and grants for mandatory  
 3 fees under Part 7 of Article 7 of Chapter 3 of Title 20 shall be eliminated beginning in  
 4 the next fiscal year and thereafter. In the event that the year-end balance of any further  
 5 subsequent fiscal year is less than the year-end balance of the fiscal year immediately  
 6 preceding, then all scholarships and grants for book allowances under Part 7 of Article  
 7 7 of Chapter 3 of Title 20 shall be eliminated beginning in the next fiscal year and  
 8 thereafter."

#### 9 **SECTION 8.**

10 Said article is further amended by adding a new Code section to read as follows:

11 "50-27-35.

12 (a) There is created as a joint committee of the General Assembly the Lottery for  
 13 Education Legislative Oversight Committee, to be composed of 14 members as follows:  
 14 three members from each of the following committees, to be appointed by the respective  
 15 chairperson of the committee: House Committee on Higher Education, Senate Higher  
 16 Education Committee, House Committee on Education, and Senate Education Committee;  
 17 and the two cochairpersons of the Georgia Lottery Corporation Legislative Oversight  
 18 Committee. The members of the committee shall select a chairperson from among their  
 19 membership who shall serve as chairperson of the oversight committee. The oversight  
 20 committee shall be authorized to inquire into and review all aspects of the Lottery for  
 21 Education Account and programs conducted with funds from the Lottery for Education  
 22 Account, as well as review and evaluate the conditions, needs, and issues of programs  
 23 conducted with funds from the Lottery for Education Account. The oversight committee  
 24 may conduct any independent audit or investigation of the commission it deems necessary.  
 25 The committee shall meet at least twice annually, which shall include a meeting in January  
 26 no later than the second Monday in January and a second meeting no earlier than July 5 and  
 27 no later than August 1. The committee may have additional meetings at the call of the  
 28 chairperson.

29 (b) The committee may request and receive reports from any appropriate agency in order  
 30 to conduct activities pursuant to subsection (a) of this Code section."

#### 31 **SECTION 9.**

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