

Senate Bill 43

By: Senators Wiles of the 37th and Douglas of the 17th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to the Georgia Student Finance Authority, so as to provide a short title;
3 to establish the Georgia HERO (Helping Educate Reservists and their Offspring)
4 Scholarship; to provide for definitions; to provide for scholarship grants; to provide for
5 application procedures; to provide for rules and regulations; to provide for related matters;
6 to provide an effective date; to repeal conflicting laws; and for other purposes.

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

8 **SECTION 1.**

9 Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
10 relating to the Georgia Student Finance Authority, is amended by adding immediately after
11 Subpart 10 a new Subpart 10A to read as follows:

12 **"Subpart 10A**

13 20-3-485.

14 This subpart shall be known and may be cited as the 'Wiles-Harbison-Harp Veterans
15 Education Act of 2005.'

16 20-3-486.

17 As used in this subpart, the term:

18 (1) 'Approved school' means a school which is a unit of the University System of
19 Georgia or a branch of the Georgia Department of Technical and Adult Education, or a
20 private independent nonprofit postsecondary institution eligible for HOPE Scholarships
21 or grants in accordance with the provisions of Code Sections 20-3-519 through
22 20-3-519.12.

23 (2) 'Eligible student' means a person who:

- 1 (A)(i) Is enrolled as a full-time or part-time student in an approved school;
 2 (ii) Meets residency requirements to be classified as a legal resident of Georgia as
 3 established pursuant to regulations of the authority and who remains a citizen of the
 4 state while receiving funds under this subpart; and
 5 (iii) Is a member of the Georgia National Guard as such term is defined in Code
 6 Section 38-2-3 or a member of a reserve component of the armed forces of the United
 7 States, which member has completed at least one qualifying term of service; or

8 (B) Is a child:

- 9 (i) Whose parent was a member of the Georgia National Guard as such term is
 10 defined in Code Section 38-2-3 or a member of a reserve component of the armed
 11 forces of the United States, including a deceased member, which member completed
 12 at least one qualifying term of service;
 13 (ii) Who was born prior to such qualifying term of service or within nine months of
 14 the beginning of such qualifying term of service; and
 15 (iii) Is 25 years of age or younger who is enrolled as a full-time or part-time student
 16 in an approved school.

17 (3) 'Georgia HERO Scholarship' means a Georgia Helping Educate Reservists and their
 18 Offspring Scholarship grant as provided for in Code Section 20-3-487.

19 (4) 'Parent' means the biological parent, adoptive parent, or legal guardian of a person
 20 25 years of age or younger during the qualifying term of service.

21 (5) 'Qualifying term of service' means deployment overseas for active service on or after
 22 the effective date of this subpart to a location or locations outside of the United States and
 23 its territories designated by the United States Department of Defense as a combat zone
 24 for a consecutive period of at least 181 days or, in the case of an individual who is killed
 25 or receives a 100 percent disability as a result of injuries received in such combat zone,
 26 any period of time on active service in such combat zone.

27 20-3-487.

28 (a) There is granted to each eligible student under subparagraph (A) of paragraph (2) of
 29 Code Section 20-3-486 attending an approved school a Georgia HERO Scholarship grant
 30 for a maximum of four award years in the sum of \$2,000.00 per award year. No person
 31 shall be eligible to receive grant assistance provided under this subsection in excess of
 32 \$8,000.00.

33 (b) There is granted to each eligible student under subparagraph (B) of paragraph (2) of
 34 Code Section 20-3-486 attending an approved school a Georgia HERO Scholarship grant
 35 in the sum of \$2,000.00 per award year. Such student shall be eligible for one award year
 36 for each period of 181 consecutive days that his or her parent was deployed overseas on

1 active service on or after the effective date of this subpart to a location or locations outside
2 of the United States and its territories designated by the United States Department of
3 Defense as a combat zone; provided, however, that a student whose parent was killed or
4 received a 100 percent disability as a result of injuries received in such combat zone shall
5 receive up to a maximum of four award years regardless of the time such student's parent
6 was on active service in such combat zone. No person shall be eligible to receive grant
7 assistance provided under this subsection in excess of \$8,000.00.

8 (c) Grant assistance to eligible students under this subpart shall be payable on a pro rata
9 basis based upon whether the student is enrolled full time or part time and the number of
10 semesters or quarters of enrollment. The payment of grants to eligible students under this
11 subpart shall be contingent upon the appropriation of funds by the General Assembly for
12 the purposes of this subpart in annual appropriations Acts of the General Assembly.

13 20-3-488.

14 (a) Any person meeting the conditions of this subpart may apply to the authority for a
15 grant. Such application shall be submitted in writing on forms prescribed by the authority
16 for such purpose. The applicant shall furnish such information as may be required by the
17 authority for determination of eligibility for the grant. The authority shall approve grant
18 renewals only upon receipt of the recipient's application therefor and upon a finding that
19 the recipient has successfully completed the work of the preceding school period and
20 presents evidence that he or she is a student in good standing at the approved school, that
21 he or she remains a resident of this state, and that he or she remains otherwise qualified to
22 receive such grant under this subpart.

23 (b) The authority is authorized to prescribe such rules and regulations as may be necessary
24 or convenient for administration of this program and to establish procedures for
25 determination of eligibility of applicants. The authority is also authorized to establish
26 standards and procedures for verifying the service of the applicant or the applicant's parent,
27 as appropriate, in a combat zone for the requisite period of time."

28 SECTION 2.

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 SECTION 3.

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