

House Bill 131 (AS PASSED HOUSE AND SENATE)

By: Representatives Horne of the 71st and Forster of the 3rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 10A of Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code
2 of Georgia Annotated, relating to the Georgia HERO (Helping Educate Reservists and their
3 Offspring) Scholarship, so as to provide that surviving spouses shall be eligible students; to
4 provide limitations on the time periods when such scholarship funds shall be available; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Subpart 10A of Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
9 Annotated, relating to the Georgia HERO (Helping Educate Reservists and their Offspring)
10 Scholarship, is amended by revising paragraph (2) of Code Section 20-3-485 of the Official
11 Code of Georgia Annotated, relating to definitions relative to the Georgia HERO (Helping
12 Educate Reservists and their Offspring) Scholarship, as follows:

13 "(2) 'Eligible student' means a person who:

- 14 (A)(i) Is enrolled as a full-time or part-time student in an approved school;
- 15 (ii) Meets residency requirements to be classified as a legal resident of Georgia as
16 established pursuant to regulations of the authority and who remains a citizen of the
17 state while receiving funds under this subpart; and
- 18 (iii) Is a member of the Georgia National Guard as such term is defined in Code
19 Section 38-2-3 or a member of a reserve component of the armed forces of the United
20 States, which member has completed at least one qualifying term of service; ~~or~~
- 21 (B) Is a child:
- 22 (i) Whose parent was a member of the Georgia National Guard as such term is
23 defined in Code Section 38-2-3 or a member of a reserve component of the armed
24 forces of the United States, including a deceased member, which member completed
25 at least one qualifying term of service;

1 (ii) Who was born prior to such qualifying term of service or within nine months of
2 the beginning of such qualifying term of service; and

3 (iii) Is 25 years of age or younger who is enrolled as a full-time or part-time student
4 in an approved school;

5 (C) Is a surviving spouse of a deceased member of the Georgia National Guard as such
6 term is defined in Code Section 38-2-3 who was killed in a combat zone or as a result
7 of injuries received in a combat zone, which member completed at least one qualifying
8 term of service; or

9 (D) Is a surviving spouse of a deceased member of a reserve component of the armed
10 forces of the United States who was killed in a combat zone or as a result of injuries
11 received in a combat zone, which member completed at least one qualifying term of
12 service."

13 SECTION 2.

14 Said subpart is further amended by revising Code Section 20-3-486, relating to grants to
15 eligible students, as follows:

16 "20-3-486.

17 (a) There is granted to each eligible student under subparagraph (A) of paragraph (2) of
18 Code Section 20-3-485 attending an approved school a Georgia HERO Scholarship grant
19 for a maximum of four award years in the sum of \$2,000.00 per award year. No person
20 shall be eligible to receive grant assistance provided under this subsection in excess of
21 \$8,000.00.

22 (b) There is granted to each eligible student under subparagraph (B) of paragraph (2) of
23 Code Section 20-3-485 attending an approved school a Georgia HERO Scholarship grant
24 in the sum of \$2,000.00 per award year. Such student shall be eligible for one award year
25 for each period of 181 consecutive days that his or her parent was deployed overseas on
26 active service on or after May 3, 2005, to a location or locations outside of the United
27 States and its territories designated by the United States Department of Defense as a
28 combat zone; provided, however, that a student whose parent was killed or received a 100
29 percent disability as a result of injuries received in such combat zone shall receive up to a
30 maximum of four award years regardless of the time such student's parent was on active
31 service in such combat zone. No person shall be eligible to receive grant assistance
32 provided under this subsection in excess of \$8,000.00.

33 (c) There is granted to each eligible student under subparagraph (C) or (D) of paragraph
34 (2) of Code Section 20-3-485 attending an approved school a Georgia HERO Scholarship
35 grant in the sum of \$2,000.00 per award year. Such student shall be eligible for four award
36 years. No person shall be eligible to receive grant assistance provided under this

1 subsection in excess of \$8,000.00. Applications for the initial grant under this subsection
2 must be made before July 1, 2009, or not later than two years following the death of the
3 spouse, whichever is later, and no grant shall be issued later than six years after the initial
4 grant is issued.

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

10 **SECTION 3.**

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