

House Bill 311 (AS PASSED HOUSE AND SENATE)

By: Representatives Fleming of the 117th, Harbin of the 118th, O'Neal of the 146th, Yates of the 73rd, Talton of the 145th, and others

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 revise certain definitions; to provide a time period for the
3 application for grants and the termination of grant eligibility; to provide for related matters;
4 to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary
8 education, is amended by revising subparagraphs (C) and (D) of paragraph (2) and
9 paragraph (5) as follows:

10 "(C) Is a surviving spouse of a deceased member of the Georgia National Guard as
11 such term is defined in Code Section 38-2-3 who was killed or sustained a 100 percent
12 disability in a combat zone or as a result of injuries received in a combat zone, which
13 member completed at least one qualifying term of service; or

14 (D) Is a surviving spouse of a deceased member of a reserve component of the armed
15 forces of the United States who was killed or sustained a 100 percent disability in a
16 combat zone or as a result of injuries received in a combat zone, which member
17 completed at least one qualifying term of service."

18 (5) 'Qualifying term of service' means deployment overseas for active service on or after
19 ~~the effective date of this subpart~~ February 1, 2003, to a location or locations outside of
20 the United States and its territories designated by the United States Department of
21 Defense as a combat zone for a ~~consecutive~~ cumulative period of at least 181 days or, in
22 the case of an individual who is killed or receives a 100 percent disability as a result of
23 injuries received in such combat zone, any period of time on active service in such
24 combat zone; provided, however, that any person who fails to serve the full 181
25 consecutive days because he or she was evacuated from the combat zone due to severe
26 injuries shall be deemed to have completed a qualifying term of service."

SECTION 2.

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

"20-3-486.

(a) There is granted to each eligible student under subparagraph (A) of paragraph (2) of Code Section 20-3-485 attending an approved school a Georgia HERO Scholarship grant for a maximum of four award years in the sum of \$2,000.00 per award year. No person shall be eligible to receive grant assistance provided under this subsection in excess of \$8,000.00. Applications for grants under this subsection must be made before July 1, 2010, or within two years after the date the student becomes eligible, whichever is later, and grant eligibility shall terminate eight years after the date the student becomes eligible.

(b) There is granted to each eligible student under subparagraph (B) of paragraph (2) of Code Section 20-3-485 attending an approved school a Georgia HERO Scholarship grant in the sum of \$2,000.00 per award year. Such student shall be eligible for one award year for each period of 181 ~~consecutive~~ cumulative days that his or her parent was deployed overseas on active service on or after ~~May 3, 2005~~, February 1, 2003, to a location or locations outside of the United States and its territories designated by the United States Department of Defense as a combat zone; provided, however, that a student whose parent was killed or received a 100 percent disability as a result of injuries received in such combat zone shall receive up to a maximum of four award years regardless of the time such student's parent was on active service in such combat zone. No person shall be eligible to receive grant assistance provided under this subsection in excess of \$8,000.00. Applications for grants under this subsection must be made before July 1, 2010, or within two years after the student becomes eligible, whichever is later, and grant eligibility shall terminate eight years after the student becomes eligible.

(c) There is granted to each eligible student under subparagraph (C) or (D) of paragraph (2) of Code Section 20-3-485 attending an approved school a Georgia HERO Scholarship grant in the sum of \$2,000.00 per award year. Such student shall be eligible for four award years. No person shall be eligible to receive grant assistance provided under this subsection in excess of \$8,000.00. Applications for the initial grant under this subsection must be made before July 1, ~~2009~~ 2010, or not later than two years following the death of the spouse, whichever is later, and no grant shall be issued later than six years after the initial grant is issued.

(d) Grant assistance to eligible students under this subpart shall be payable on a pro rata basis based upon whether the student is enrolled full time or part time and the number of semesters or quarters of enrollment. The payment of grants to eligible students under this

1 subpart shall be contingent upon the appropriation of funds by the General Assembly for
2 the purposes of this subpart in annual appropriations Acts of the General Assembly."

3 **SECTION 3.**

4 This Act shall become effective on July 1, 2008.

5 **SECTION 4.**

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