

House Bill 54 (COMMITTEE SUBSTITUTE)

By: Representatives Waites of the 60th, Powell of the 32nd, Scott of the 76th, Jones of the 53rd,
and Fludd of the 64th

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 1 of Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of
2 Georgia Annotated, relating to general provisions regarding the Georgia Student Finance
3 Authority, so as to provide for voluntary donations through state income tax returns and
4 drivers' licenses for funding undergraduate tuition grants to children of law enforcement
5 officers, firefighters, emergency medical technicians, prison guards, and Highway
6 Emergency Response Operators of the Department of Transportation who were disabled or
7 killed in the line of duty; to provide for a short title; to provide for related matters; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Shawn Smiley Act."

12 **SECTION 2.**

13 Subpart 1 of Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
14 Annotated, relating to general provisions regarding the Georgia Student Finance Authority,
15 is amended by adding a new Code section to read as follows:

16 "20-3-316.2.

17 (a)(1) Each Georgia income tax return form for taxable years beginning on or after
18 January 1, 2017, shall contain appropriate language, to be determined by the state revenue
19 commissioner, offering the taxpayer the opportunity to contribute to the Georgia Student
20 Finance Authority to provide financial assistance toward the postsecondary educational
21 costs of the children of law enforcement officers, firefighters, emergency medical
22 technicians, and prison guards employed by the state or other public employer, and
23 Highway Emergency Response Operators of the Department of Transportation who were
24 permanently disabled or killed in the line of duty by either donating all or any part of any
25 tax refund due and authorizing a reduction in the refund check otherwise payable or

26 contributing any amount over and above any amount of tax owed by adding that amount
27 to the taxpayer's payment. The instructions accompanying the income tax return shall
28 include a description of the intended use of the moneys received from the contributions.
29 Each taxpayer required to file a state income tax return who desires to contribute to the
30 Georgia Student Finance Authority may designate such contribution as provided on the
31 appropriate income tax return form.

32 (2) The Department of Revenue shall determine annually the total amount so contributed
33 and shall transmit such amount to the Georgia Student Finance Authority.

34 (b) Beginning January 1, 2017, the Department of Driver Services shall, through
35 appropriate language on its forms for the issuance and renewal of drivers' licenses and
36 identification cards, offer individuals the opportunity to make voluntary contributions to
37 the Georgia Student Finance Authority to provide financial assistance toward the
38 postsecondary educational costs of the children of law enforcement officers, firefighters,
39 emergency medical technicians, and prison guards employed by the state or other public
40 employer, and Highway Emergency Response Operators of the Department of
41 Transportation who were permanently disabled or killed in the line of duty; provided,
42 however, that such voluntary contributions shall be in whole dollar amounts. The form
43 shall contain a description of the intended use of moneys received from the contributions.
44 Each individual who desires to contribute may designate such contribution on the
45 appropriate form, and the Department of Driver Services shall accept such contribution.
46 The Department of Driver Services shall determine annually the total amount so
47 contributed, shall withhold therefrom a reasonable amount for administering this voluntary
48 contribution program, and shall transmit the balance to the Georgia Student Finance
49 Authority for funding, in whole or in part, the postsecondary educational costs of such
50 students. If, in any tax year, the administrative costs of the Department of Driver Services
51 for collecting contributions pursuant to this subsection exceed the sum of such
52 contributions, the administrative costs which the Department of Driver Services is
53 authorized to withhold from such contributions shall not exceed the sum of such
54 contributions."

55 **SECTION 3.**

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