

House Bill 54 (AS PASSED HOUSE AND SENATE)

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

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, paramedics, emergency medical technicians, prison guards, and  
6 Highway Emergency Response Operators of the Department of Transportation who were  
7 disabled or killed in the line of duty; to provide for a short title; to provide for related  
8 matters; to repeal 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 make a charitable contribution to  
20 the Georgia Student Finance Authority to provide financial assistance toward the  
21 postsecondary educational costs of the children of law enforcement officers, firefighters,  
22 paramedics, emergency medical technicians, and prison guards employed by the state or  
23 other public employer, and Highway Emergency Response Operators of the Department  
24 of Transportation who were permanently disabled or killed in the line of duty by either  
25 donating all or any part of any tax refund due and authorizing a reduction in the refund

26 check otherwise payable or contributing any amount over and above any amount of tax  
27 owed by adding that amount to the taxpayer's payment. The instructions accompanying  
28 the income tax return shall include a description of the intended use of the moneys  
29 received from the contributions. Each taxpayer required to file a state income tax return  
30 who desires to make a charitable contribution to the Georgia Student Finance Authority  
31 may designate such contribution as provided on the 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 a voluntary charitable  
37 contribution of \$1.00, \$5.00, or \$10.00 to the Georgia Student Finance Authority to provide  
38 financial assistance toward the postsecondary educational costs of the children of law  
39 enforcement officers, firefighters, paramedics, emergency medical technicians, and prison  
40 guards employed by the state or other public employer, and Highway Emergency Response  
41 Operators of the Department of Transportation who were permanently disabled or killed  
42 in the line of duty. The form shall contain a description of the intended use of moneys  
43 received from the contributions. Each individual who desires to make a charitable  
44 contribution may designate such contribution on the appropriate form, and the Department  
45 of Driver Services shall accept such contribution. The Department of Driver Services shall  
46 determine annually the total amount so contributed, shall withhold therefrom a reasonable  
47 amount for administering this voluntary charitable contribution program, and shall transmit  
48 the balance to the Georgia Student Finance Authority for funding, in whole or in part, the  
49 postsecondary educational costs of such students. If, in any tax year, the administrative  
50 costs of the Department of Driver Services for collecting charitable contributions pursuant  
51 to this subsection exceed the sum of such contributions, the administrative costs which the  
52 Department of Driver Services is authorized to withhold from such contributions shall not  
53 exceed the sum of such contributions."

54 **SECTION 3.**

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