

The Senate Committee on Higher Education offered the following substitute to HB 713:

A BILL TO BE ENTITLED
AN ACT

To amend Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to scholarships, loans, and grants, so as to provide for grants for certain eligible students enrolled in an institution of the University System of Georgia; to define certain terms; to provide for application and administration; to provide for pro rata application; to provide for audits; to provide for penalties; to provide for eligibility requirements to receive the HOPE scholarship as a Zell Miller Scholarship Scholar relative to students who graduated from an ineligible high school or a home study program; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to scholarships, loans, and grants, is amended by adding a new subpart to read as follows:

"Subpart 2A

20-3-360.

As used in this subpart, the term:

(1) 'Eligible student' means a person whose family income does not exceed \$48,000.00 and who:

(A) Has been accepted for enrollment as a first year student in a qualified institution who has qualified for and is receiving a federal Pell Grant, is not qualified to receive a HOPE scholarship, achieved a high school grade point average of 2.3 through 3.0, and meets at least one of the following requirements:

(i) Has achieved an ACT composite scale score of 21 or higher;

(ii) Has achieved an SAT score of 480 or higher on evidence based reading and writing and 530 on mathematics;

- 25 (iii) Has achieved a score of 3 or higher on at least two advanced placement
 26 examinations;
 27 (iv) Has achieved a score of 4 or higher on at least two international baccalaureate
 28 examinations;
 29 (v) Has passed an end-of-pathway assessment under the Carl D. Perkins Vocational
 30 and Technical Education Act, 20 U.S.C. Section 2301, et seq.; or
 31 (vi) Has completed a work based learning experience in a field related to at least one
 32 course in the same pathway of study;
 33 (B) Is an enrolled continuing first year student in a qualified institution who is making
 34 satisfactory progress in his or her degree program; or
 35 (C) Is a continuing student in a qualified institution who has become ineligible for a
 36 HOPE scholarship and qualifies under one of the provisions of divisions (i) through (vi)
 37 of subparagraph (A) of this paragraph during his or her high school career.
 38 (2) 'Income' means federal adjusted gross income determined pursuant to the Internal
 39 Revenue Code of 1986, as amended, from all sources, and income derived from
 40 municipal bonds which is not included in federal adjusted gross income for federal
 41 income tax purposes.
 42 (3) 'Qualified institution' means an institution of the university system.

43 20-3-361.

44 There is awarded to each eligible student a grant in an amount not to exceed \$1,500.00 per
 45 academic semester, contingent upon appropriations by the General Assembly. In order to
 46 remain eligible to receive such grant, a student must be employed at least 15 hours per
 47 week during the semester and maintain at least a 2.3 grade point average; provided,
 48 however, that a student athlete shall be exempt from the employment requirement imposed
 49 by this Code section during the period beginning on the first day of the month preceding
 50 the month in which the first competition of the regular season occurs through the last day
 51 of the month in which the final competition of the regular season or postseason competition
 52 occurs.

53 20-3-362.

54 Each eligible student wishing to receive the grant provided for in this subpart shall submit
 55 to the qualifying institution an application for the grant payment at the time and in
 56 accordance with procedures prescribed by the authority. The authority is authorized to
 57 define such terms and prescribe such rules, regulations, and procedures as may be
 58 reasonable and necessary to carry out the purposes of this subpart. The authority shall not
 59 approve payment of any grant until it has received from an appropriate officer of the

60 qualifying institution a certification that the student applying for the grant is an eligible
61 student. Upon timely receipt of such certification, in proper form, the authority is
62 authorized to pay the grant to the qualifying institution on behalf of and to the credit of the
63 student. In the event a student on whose behalf a grant is paid does not enroll as a full-time
64 student for the academic semester for which the grant is paid, the qualifying institution
65 shall make a refund to the authority in accordance with regulations of the authority.

66 20-3-363.

67 (a) In the event funds available to the authority are not sufficient to enable the authority
68 to pay on behalf of eligible students the full grant prescribed by the General Assembly,
69 grants payable for the remaining academic semesters shall be reduced by the authority on
70 a pro rata basis.

71 (b) The authority shall use the following formula in calculating the budget for each
72 qualifying institution: the combined amount of average annual tuition and mandatory fees
73 minus the average annual Pell Grant award multiplied by the number of Pell Grant
74 recipients from which has been subtracted the combined number of HOPE and Zell Miller
75 scholarship recipients.

76 20-3-364.

77 Each qualified institution shall be subject to examination by the state auditor for the sole
78 purpose of determining whether the institution has properly certified eligibility and
79 enrollment of students and credited grants paid on behalf of such students; provided,
80 however, that nothing in this subpart shall be construed to interfere with the authority of
81 the institution to determine admissibility of students or to control its own curriculum,
82 philosophy, purpose, or administration. In the event it is determined that a qualified
83 institution knowingly or through error certified an ineligible student to be eligible for a
84 grant under this subpart, the amount of the grant paid to such institution pursuant to such
85 certification shall be refunded by such institution to the authority.

86 20-3-365.

87 Any person who knowingly makes or furnishes any false statement or misrepresentation
88 or who accepts such statement or misrepresentation knowing it to be false for the purpose
89 of enabling an ineligible student to obtain wrongfully a grant under this subpart shall be
90 guilty of a misdemeanor."

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SECTION 2.

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Said article is further amended in Code Section 20-3-519, relating to definitions relative to HOPE scholarships and grants, by revising division (27)(A)(iii) as follows:

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"(iii) Having completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 or having graduated from a high school which is not an eligible high school, having received a score in the ~~ninety-third~~ ninety-second percentile or higher on the ACT, on the combined critical reading and math portions on a single administration of the SAT administered prior to March 1, 2016, or on the total score on a single administration of the SAT administered on or after March 1, 2016; or"

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SECTION 3.

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Said article is further amended in Code Section 20-3-519, relating to definitions relative to HOPE scholarships and grants, by revising division (27)(A)(iii) as follows:

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"(iii) Having completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 or having graduated from a high school which is not an eligible high school, having received a score in the ~~ninety-third~~ ninety-second percentile or higher on the ACT, on the combined critical reading and math portions on a single administration of the SAT administered prior to March 1, 2016, or on the total score on a single administration of the SAT administered on or after March 1, 2016; or"

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SECTION 4.

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This Act shall become effective on July 1, 2018; except that Section 3 of this Act shall become effective on July 1, 2020.

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SECTION 5.

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