

The House Committee on Higher Education offers the following substitute to HB 56:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to the Georgia Student Finance Authority, so as to provide for tuition
3 grants to children and spouses of certain public employees killed or permanently disabled in
4 the line of duty; to provide for charitable contributions to the Georgia Student Finance
5 Authority for such grants; to expand eligibility for the Public Safety Memorial Grant to
6 provide for tuition grants to children and spouses of emergency medical technicians,
7 firefighters, highway emergency response operators, law enforcement officers, and prison
8 guards who are killed or permanently disabled in the line of duty; to provide for tuition grants
9 to children and spouses of public school employees and public school teachers who are killed
10 or permanently disabled by an act of violence in the line of duty; to provide definitions; to
11 provide for maximum grant amounts; to provide for eligibility; to provide for an application
12 process; to provide for grant renewals; to provide for rules and regulations; to provide for
13 related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

H. B. 56 (SUB)

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PART I
SECTION 1-1.

Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, is amended by revising Code Section 20-3-316.2, relating to voluntary donations through state income tax returns and drivers' license fees benefitting children of certain public servants seeking postsecondary education, as follows:

"20-3-316.2.

(a)(1) Each Georgia income tax return form for taxable years beginning on or after January 1, ~~2017~~ 2026, shall contain appropriate language, to be determined by the state revenue commissioner, offering the taxpayer the opportunity to make a charitable contribution to the Georgia Student Finance Authority to provide financial assistance toward the postsecondary educational costs of the children and spouses of law enforcement officers, firefighters, paramedics, emergency medical technicians, and prison guards employed by the state or other public employer; and Highway Emergency Response Operators of the Department of Transportation who were permanently disabled or killed in the line of duty and the children and spouses of public school employees and public school teachers who were killed or permanently disabled by an act of violence in the line of duty by either donating all or any part of any tax refund due and authorizing a reduction in the refund check otherwise payable or contributing any amount over and above any amount of tax owed by adding that amount to the taxpayer's payment. The instructions accompanying the income tax return shall include a description of the intended use of the moneys received from the contributions. Each taxpayer required to file a state income tax return who desires to make a charitable contribution to the Georgia Student Finance Authority may designate such contribution as provided on the appropriate income tax return form.

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

(b) Beginning January 1, ~~2017~~ 2026, the Department of Driver Services shall, through appropriate language on its forms for the issuance and renewal of drivers' licenses and identification cards, offer individuals the opportunity to make a voluntary charitable contribution of \$1.00, \$5.00, or \$10.00 to the Georgia Student Finance Authority to provide financial assistance toward the postsecondary educational costs of the children and spouses of law enforcement officers, firefighters, paramedics, emergency medical technicians, and prison guards employed by the state or other public employer; and Highway Emergency Response Operators of the Department of Transportation who were permanently disabled or killed in the line of duty and the children and spouses of public school employees and public school teachers who were killed or permanently disabled by an act of violence in the line of duty. The form shall contain a description of the intended use of moneys received from the contributions. Each individual who desires to make a charitable contribution may designate such contribution on the appropriate form, and the Department of Driver Services shall accept such contribution. The Department of Driver Services shall determine annually the total amount so contributed, shall withhold therefrom a reasonable amount for administering this voluntary charitable contribution program, and shall transmit the balance to the Georgia Student Finance Authority for funding, in whole or in part, the postsecondary educational costs of such students. If, in any tax year, the administrative costs of the Department of Driver Services for collecting charitable contributions pursuant to this subsection exceed the sum of such contributions, the administrative costs which the Department of Driver Services is authorized to withhold from such contributions shall not exceed the sum of such contributions."

PART II**SECTION 2-1.**

Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, is amended in Subpart 7, relating to grants to children of law enforcement officers, firefighters, and prison guards, by revising Code Section 20-3-450, relating to legislative findings and purpose of subpart, as follows:

"20-3-450.

The General Assembly finds that certain citizens are called upon to enforce the criminal laws of this state and to protect persons and properties within the state and that they provide a valuable and vital public service to the state and to citizens and properties within the state at a great personal sacrifice and risk to their own lives and well-being. The purpose of the General Assembly, as provided for in this subpart, is to enable the authority to provide educational grant assistance to the children and spouses of such persons who are killed or permanently disabled in the line of duty."

SECTION 2-2.

Said part is further amended by revising Code Section 20-3-451, relating to definitions, as follows:

"20-3-451.

As used in this subpart, the term:

(1) 'Academic year' means a period of time, typically nine months, in which a full-time student is expected to complete the equivalent of at least ~~two semesters' or three quarters'~~ academic work nine or more credit hours per term or semester or in which a part-time student is expected to complete the equivalent of eight or fewer credit hours per term or semester.

(2) 'Approved school' ~~means the same schools as enumerated in Code Section 20-3-391 relative to the state student incentive grant program~~ shall have the same meaning as the term 'eligible postsecondary institution' as set forth in Code Section 20-3-519.

(3) 'Eligible student' means a person who qualifies for an educational grant under this subpart.

(4) 'Emergency medical technician' means a person employed by the state or by a county, municipality, or other political subdivision of the state who has been certified as an emergency medical technician, cardiac technician, or paramedic pursuant to Chapter 11 of Title 31.

(5) 'Firefighter' means a person employed, appointed, or regularly enrolled by the state or by any county or municipal fire department whose duties include extinguishing fires or investigating cases of suspected arson.

(6) 'Highway emergency response operator' means an individual employed by the Department of Transportation who operates a towing or recovery vehicle or highway maintenance vehicle.

(7) 'In the line of duty' means:

(A) With respect to an emergency medical technician, when performing services for and receiving compensation from the public agency which employs such emergency medical technician or when performing emergency medical services;

(B) With respect to a firefighter, when responding to or returning from a fire or other emergency, performing duties during any fire or other emergency, or performing duties intended to protect life and property, including, without limitation, actual participation in a training exercise;

(C) With respect to a highway emergency response operator, when performing services for and receiving compensation from the Department of Transportation;

(D) With respect to a law enforcement officer, when performing services for the law enforcement agency which employs such officer, responding to any situation which

116 would save a life or preserve the peace, or preventing or attempting to prevent the
117 commission of a crime; or

118 (E) With respect to a prison guard, when performing services for and receiving
119 compensation from the public agency which employs such prison guard.

120 ~~(4)~~(8) 'Law enforcement officer' means a sheriff, deputy sheriff, police officer,
121 ~~police~~man, peace officer, officer or member of the Department of Public Safety, or other
122 officer or official who has the power of arrest and who is responsible for enforcing the
123 criminal laws of the state or its political subdivisions.

124 ~~(5)~~(9) 'Permanent disability' or 'permanently disabled' means physical incapacity to
125 perform the duties of a law enforcement officer, firefighter, ~~or~~ prison guard, emergency
126 medical technician, or highway emergency response operator as determined by the public
127 employer designated in paragraph (3) of Code Section 20-3-453, provided that such
128 incapacity is likely to be permanent based upon current medical standards.

129 ~~(6)~~(10) 'Prison guard' means a person employed by the state or by a county, municipality,
130 or other political subdivision of the state whose principal duties relate to supervision and
131 incarceration of persons accused or convicted of violation of the criminal laws of the state
132 or any county, municipality, or other political subdivision thereof."

133 SECTION 2-3.

134 Said part is further amended by revising Code Section 20-3-452, relating to amount of grants
135 to each eligible student, as follows:

136 "20-3-452.

137 There is granted to each eligible student attending an approved school the sum of ~~\$2,000.00~~
138 no more than \$18,000.00 per academic year. No person shall be eligible to receive grant
139 assistance provided under this subpart in excess of ~~\$8,000.00~~ \$72,000.00. Grant assistance
140 to eligible students under this subpart shall be payable during the period of a summer
141 school quarter or semester. The payment of grants to eligible students under this subpart

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

SECTION 2-4.

Said part is further amended by revising Code Section 20-3-453, relating to eligibility of students, as follows:

"20-3-453.

No grants shall be payable to any person under this subpart who fails to meet any of the following qualifications or restrictions:

(1) Such person ~~must~~ shall be the child, either natural or adopted, ~~or the spouse of a law enforcement officer, firefighter, or prison guard, emergency medical technician, or highway emergency response operator~~ who has been permanently disabled or killed in the line of duty or while performing the duties to which he ~~or she~~ was assigned in the normal course of employment. If such person is the adopted child of any such law enforcement officer, firefighter, ~~or prison guard, emergency medical technician, or highway emergency response operator~~, such person ~~must~~ shall have been adopted and any final order of adoption issued prior to the date of the accident or event causing the death or permanent disability of such parent;

(2) Such person ~~must~~ shall have been a citizen of this state for a period of at least 12 months immediately prior to the date of registration in an approved school and ~~must~~ shall remain a citizen of ~~the~~ this state while receiving funds under this subpart;

(3) The ~~deceased or disabled law enforcement officer, firefighter, or prison guard parent or spouse of such person~~ ~~must~~ shall have been ~~an employee, either full-time or part-time, or an officer or official, whether elected or appointed, of employed, appointed, or regularly enrolled by~~ this state or any county, municipality, department, board, bureau, branch, agency, commission, authority, or political subdivision of the state on the date of the accident or event from which death or permanent disability resulted; and

(4) Any person otherwise meeting the conditions of this subpart shall be eligible to receive a grant even though the accident or the event causing the death or disability of such person's parent or spouse occurred prior to July 1, ~~1980~~ 2025."

SECTION 2-5.

Said part is further amended by revising Code Section 20-3-455, relating to administration of program and physical examinations, as follows:

"20-3-455.

The authority is authorized to prescribe such rules and regulations as may be necessary or convenient for administration of this program and to establish procedures for determination of eligibility of applicants. The authority is also authorized to establish standards and procedures for verifying the death or permanent disability of the applicant's parent or spouse and for such purpose is authorized to require a physical examination and to pay for the cost of such examination from funds appropriated for use by the authority for the purposes of this subpart."

PART III

SECTION 3-1.

Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, is amended by adding a new subpart to read as follows:

"Subpart 7C

20-3-466.

(a) As used in this Code section, the term:

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(1) 'Academic year' means a period of time, typically nine months, in which a full-time student is expected to complete the equivalent of at least nine or more credit hours per term or semester or in which a part-time student is expected to complete the equivalent of eight or fewer credit hours per term or semester.

(2) 'Act of violence' means a willful act of violence.

(3) 'Approved school' shall have the same meaning as the term 'eligible postsecondary institution' as set forth in Code Section 20-3-519.

(4) 'Authority' means the Georgia Student Finance Authority.

(5) 'Eligible student' means a person who qualifies for an educational grant under this Code section.

(6) 'In the line of duty' means while on duty and performing services for and receiving compensation from the local education agency which employs such public school teacher or public school employee.

(7) 'Local education agency' shall have the same meaning as set forth in subsection (a) of Code Section 20-2-167.1.

(8) 'Permanent disability' means disability due to:

(A) Loss of both eyes or blindness in both eyes with only light perception;

(B) Loss or loss of use of both hands;

(C) Loss or loss of use of both legs;

(D) Loss of a lower extremity or residuals of organic disease or injury which so affect the functions of balance or propulsion as to preclude locomotion without resort to a wheelchair; or

(E) Organic brain damage resulting from direct physical trauma incurred after July 1, 2001, which so affects the mental capacity as to preclude the ability to function productively in any employment.

(9) 'Public school employee' shall have the same meaning as set forth in Code Section 20-2-910.

(10) 'Public school teacher' shall have the same meaning as set forth in Code Section 20-2-880.

(b) There is granted to each eligible student attending an approved school the sum of no more than \$18,000.00 per academic year. No person shall be eligible to receive grant assistance provided under this Code section in excess of \$72,000.00. Grant assistance to eligible students under this Code section shall be payable during the period of a summer school quarter or semester. The payment of grants to eligible students under this Code section shall be contingent upon the appropriation of funds by the General Assembly for the purposes of this Code section in annual appropriations Acts of the General Assembly.

(c) No grants shall be payable to any person under this Code section who fails to meet any of the following qualifications or restrictions:

(1) Such person shall be the child, either natural or adopted, or the spouse of a public school teacher or public school employee who has been killed by an act of violence in the line of duty or who has a permanent disability due to an act of violence in the line of duty.

If such person is the adopted child of any such public school teacher or public school employee, such person shall have been adopted and any final order of adoption issued prior to the act of violence causing the death or permanent disability of such parent;

(2) Such person shall have been a citizen of this state for a period of at least 12 months immediately prior to the date of registration in an approved school and shall remain a citizen of this state while receiving funds under this Code section;

(3) The parent or spouse of such person shall have been a public school employee or public school teacher on the date of the act of violence from which death or permanent disability resulted; and

(4) Any person otherwise meeting the conditions of this Code section shall be eligible to receive a grant even though the act of violence causing the death or permanent disability of such person's parent or spouse occurred prior to July 1, 2025.

(d) Any person meeting the conditions of this Code section may apply to the authority for a grant. Such application shall be submitted in writing on forms prescribed by the authority for such purpose. The applicant shall furnish such information as may be required by the authority for determination of eligibility for the grant. The authority shall approve grant renewals only upon receipt of the recipient's application therefor and upon a finding that the recipient has successfully completed the work of the preceding school period and presents evidence that he or she is a student in good standing, that he or she remains a citizen of this state, and that he or she remains otherwise qualified to receive such grant under this Code section.

(e) The authority is authorized to prescribe such rules and regulations as may be necessary or convenient for administration of this Code section and to establish procedures for determination of eligibility of applicants. The authority is also authorized to establish standards and procedures for verifying the death or permanent disability of the applicant's parent or spouse and for such purpose is authorized to require a physical examination and to pay for the cost of such examination from funds appropriated for use by the authority for the purposes of this Code section."

PART IV
SECTION 4-1.

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