

House Bill 56 (COMMITTEE SUBSTITUTE)

By: Representatives Petrea of the 166th, Seabaugh of the 34th, Hitchens of the 161st, Sainz of the 180th, and Lumsden of the 12th

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:

PART I
SECTION 1-1.

15
16
17 Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
18 relating to the Georgia Student Finance Authority, is amended by revising Code Section
19 20-3-316.2, relating to voluntary donations through state income tax returns and drivers'
20 license fees benefitting children of certain public servants seeking postsecondary education,
21 as follows:

22 "20-3-316.2.

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

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

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

65

PART II

66

SECTION 2-1.

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

71 "20-3-450.

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

79

SECTION 2-2.

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

82 "20-3-451.

83 As used in this subpart, the term:

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

- 89 (2) 'Approved school' means the same schools as enumerated in Code Section 20-3-391
90 relative to the state student incentive grant program shall have the same meaning as the
91 term 'eligible postsecondary institution' as set forth in Code Section 20-3-519.
- 92 (3) 'Eligible student' means a person who qualifies for an educational grant under this
93 subpart.
- 94 (4) 'Emergency medical technician' means a person employed by the state or by a county,
95 municipality, or other political subdivision of the state who has been certified as an
96 emergency medical technician, cardiac technician, or paramedic pursuant to Chapter 11
97 of Title 31.
- 98 (5) 'Firefighter' means a person employed, appointed, or regularly enrolled by the state
99 or by any county or municipal fire department whose duties include extinguishing fires
100 or investigating cases of suspected arson.
- 101 (6) 'Highway emergency response operator' means an individual employed by the
102 Department of Transportation who operates a towing or recovery vehicle or highway
103 maintenance vehicle.
- 104 (7) 'In the line of duty' means:
- 105 (A) With respect to an emergency medical technician, when performing services for
106 and receiving compensation from the public agency which employs such emergency
107 medical technician or when performing emergency medical services;
- 108 (B) With respect to a firefighter, when responding to or returning from a fire or other
109 emergency, performing duties during any fire or other emergency, or performing duties
110 intended to protect life and property, including, without limitation, actual participation
111 in a training exercise;
- 112 (C) With respect to a highway emergency response operator, when performing services
113 for and receiving compensation from the Department of Transportation;
- 114 (D) With respect to a law enforcement officer, when performing services for the law
115 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

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

144 **SECTION 2-4.**

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

147 "20-3-453.

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

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

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

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

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

171 **SECTION 2-5.**

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

174 "20-3-455.

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

182 **PART III**

183 **SECTION 3-1.**

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

187 "Subpart 7C

188 20-3-466.

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

- 190 (1) 'Academic year' means a period of time, typically nine months, in which a full-time
191 student is expected to complete the equivalent of at least nine or more credit hours per
192 term or semester or in which a part-time student is expected to complete the equivalent
193 of eight or fewer credit hours per term or semester.
- 194 (2) 'Act of violence' means a willful act of violence.
- 195 (3) 'Approved school' shall have the same meaning as the term 'eligible postsecondary
196 institution' as set forth in Code Section 20-3-519.
- 197 (4) 'Authority' means the Georgia Student Finance Authority.
- 198 (5) 'Eligible student' means a person who qualifies for an educational grant under this
199 Code section.
- 200 (6) 'In the line of duty' means while on duty and performing services for and receiving
201 compensation from the local education agency which employs such public school teacher
202 or public school employee.
- 203 (7) 'Local education agency' shall have the same meaning as set forth in subsection (a)
204 of Code Section 20-2-167.1.
- 205 (8) 'Permanent disability' means disability due to:
- 206 (A) Loss of both eyes or blindness in both eyes with only light perception;
207 (B) Loss or loss of use of both hands;
208 (C) Loss or loss of use of both legs;
209 (D) Loss of a lower extremity or residuals of organic disease or injury which so affect
210 the functions of balance or propulsion as to preclude locomotion without resort to a
211 wheelchair; or
212 (E) Organic brain damage resulting from direct physical trauma incurred after July 1,
213 2001, which so affects the mental capacity as to preclude the ability to function
214 productively in any employment.
- 215 (9) 'Public school employee' shall have the same meaning as set forth in Code Section
216 20-2-910.

217 (10) 'Public school teacher' shall have the same meaning as set forth in Code Section
218 20-2-880.

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

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

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

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

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

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

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

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

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

259

PART IV

260

SECTION 4-1.

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