

The House Committee on Education offers the following substitute to SB 152:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2B of Title 20 of the Official Code of Georgia Annotated, relating to
2 promise scholarship accounts, so as to provide that the biological or adopted children of
3 individuals who are foster parents and who meet certain conditions shall qualify for promise
4 scholarship accounts; to provide for such conditions; to provide for definitions; to provide
5 for the education savings authority to make limited disclosures to the Department of Revenue
6 for purposes of verifying income as compared to income thresholds; to clarify and revise
7 student qualifications for promise scholarship accounts; to provide for related matters; to
8 provide for an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 2B of Title 20 of the Official Code of Georgia Annotated, relating to promise
12 scholarship accounts, is amended in Code Section 20-2B-5, relating to powers of the
13 education savings authority, by revising subsection (b) and by adding two new subsections
14 to read as follows:

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15 ~~Pursuant~~ Except as provided in subsection (d) of this Code section, pursuant to Code
16 Section 50-18-70, the education savings authority shall not disclose and shall keep
17 confidential, in each case unless identifying information has been redacted:

18 (1) Records that include information identifying a student or former student by name,
19 address except for ZIP Code, telephone number, or emergency contact; and

20 (2) Records that reveal an individual's social security number, mother's birth name, credit
21 card information, debit card information, bank account information, account number,
22 utility account number, password used to access his or her account, financial data or
23 information, insurance or medical information in all records, unlisted telephone number
24 if so designated in a public record, personal email address or cellular telephone number,
25 or month and day of birth."

26 "(d) As necessary to enforce the provisions of this chapter, the education savings authority
27 or its duly authorized agents may submit to the state revenue commissioner the names of
28 applicants for promise scholarship accounts or account funds or other benefits or payments
29 provided under this chapter, as well as the relevant income threshold specified therein. If
30 the education savings authority elects to contract with the state revenue commissioner for
31 such purposes, the state revenue commissioner and his or her agents or employees shall
32 notify the education savings authority whether each submitted applicant's income exceeds
33 the relevant income threshold provided. The education savings authority shall pay the state
34 revenue commissioner for all costs incurred by the Department of Revenue pursuant to this
35 subsection. No information shall be provided by the Department of Revenue to the
36 education savings authority without an executed cooperative agreement between the two
37 entities. Any tax information secured from the federal government by the Department of
38 Revenue pursuant to express provisions of Section 6103 of the Internal Revenue Code may
39 not be disclosed by the Department of Revenue pursuant to this subsection. Any person
40 receiving any tax information under the authority of this subsection is subject to the

41 provisions of Code Section 48-7-60 and to all penalties provided under Code
 42 Section 48-7-61 for unlawful divulging of confidential tax information.

43 (e) As necessary to enforce the provisions of the chapter, the education savings authority
 44 or its duly authorized agents may submit to the Department of Human Services the names
 45 of foster parents provided by applicants seeking promise scholarships accounts pursuant
 46 to Code Section 20-2B-22.1. The Department of Human Services shall, upon receipt of
 47 such names, provide verification to the education savings authority or its duly authorized
 48 agents as to whether such individuals are foster parents as such term is defined in Code
 49 Section 20-2B-22.1."

50

SECTION 2.

51 Said chapter is further amended in Code Section 20-2B-22, relating to participating student
 52 qualifications, continued eligibility of participating students to receive funds subject to
 53 conditions, requirements for parents of participating students, and forfeiture of account funds,
 54 by revising paragraph (3) and subparagraph (B) of paragraph (5) of subsection (a) as follows:

55 "(3) ~~The student resides in the attendance zone of~~ Based on his or her primary residence,
 56 the student is currently enrolled in, or will be eligible to be enrolled for the following
 57 school year in, a public school that is included on the list of public schools provided for
 58 in Code Section 20-2B-29 or a qualified kindergarten program of such school;"

59 "(B) In the event that the amount of funds appropriated for the program exceeds the
 60 amount of funds necessary to include all students who meet the family income
 61 requirement provided for in subparagraph (A) of this paragraph and the student:

62 (i) Is already a participating student; ~~or~~ and

63 (ii) Timely submitted an application for an account to the education savings authority
 64 by either of the two quarterly application deadlines immediately preceding July 1 as
 65 provided for in paragraph (9) of this subsection,

66 the student's family income exceeds 400 percent of the federal poverty level as defined
67 annually by the federal Office of Management and Budget; provided, however, that from
68 among students provided for in this subparagraph, students who previously participated
69 in the program shall be prioritized;"

70 **SECTION 3.**

71 Said chapter is further amended by adding a new Code section to read as follows:

72 "20-2B-22.1.

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

74 (1) 'Biological or adopted child' means a child who is the biological issue of an
75 individual or who has been adopted by an individual pursuant to a decree of adoption by
76 a court of this state or by a court of any other jurisdiction.

77 (2) 'Foster parent' means an individual who maintains an approved and open foster care
78 home which is utilized by a child-placing agency pursuant to Chapter 5 of Title 49 or
79 approved and directly supervised by the Department of Human Services.

80 (b) Notwithstanding any provision of Code Section 20-2B-22 to the contrary, each student
81 who has reached the age of four years but has not reached the age of 20 years, who is the
82 biological or adopted child of an individual who is a foster parent, and who meets the
83 requirements of paragraphs (1), (4), (6), (7), (8), and (9) of subsection (a) of Code Section
84 20-2B-22 shall qualify for a promise scholarship account under this article."

85 **SECTION 4.**

86 This Act shall become effective on July 1, 2025.

87 **SECTION 5.**

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