

House Bill 541 (AS PASSED HOUSE AND SENATE)

By: Representatives Dempsey of the 13th, Cooper of the 45th, Taylor of the 173rd, Prince of the 132nd, and Hawkins of the 27th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-3-411 of the Official Code of Georgia Annotated, relating to
2 definitions regarding tuition equalization grants at private colleges and universities, so as to
3 expand the definition of an approved school to include certain institutions which offer
4 programs in nursing; to provide for related matters; to provide for legislative intent; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 WHEREAS, the General Assembly is committed to addressing the healthcare workforce
9 shortage in Georgia, which includes having a sufficient number of high-quality nurses; and

10 WHEREAS, to increase the number of high-quality nurses in Georgia, crucial elements
11 include providing financial assistance and removing impediments to practicing nursing.

SECTION 2.

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Code Section 20-3-411 of the Official Code of Georgia Annotated, relating to definitions regarding tuition equalization grants at private colleges and universities, is amended by revising paragraph (2) as follows:

"(2) 'Approved school' means:

(A) A nonproprietary institution of higher education located in this state which is not a branch of the university system; which is not a four-year or graduate level institution of higher education that is, or is a part of, a college or university system that is owned and operated by a state other than Georgia; which is accredited by the Southern Association of Colleges and Schools; which is not a graduate level school or college of theology or divinity; and which is not presently receiving state funds under Article 4 of this chapter; provided, however, that an institution which otherwise meets the requirements of this definition and of this subpart except for the lack of accreditation by the Southern Association of Colleges and Schools shall be deemed to be an 'approved school' during the period that the institution holds candidate for accreditation status with the Southern Association of Colleges and Schools; provided, further, that an institution which otherwise meets the requirements of this definition and of this subpart except for the lack of accreditation by the Southern Association of Colleges and Schools shall be deemed to be an 'approved school' if such institution was previously an 'approved school' under division ~~(iii)~~ (iv) of subparagraph (B) of this paragraph within the last five years; provided, further, that an institution which was previously accredited by the Southern Association of Colleges and Schools within the last seven years and which otherwise meets the requirements of this definition and of this subpart except for the lack of accreditation by the Southern Association of Colleges and Schools shall be deemed to be an 'approved school'; and

(B)(i) A qualified proprietary institution of higher education located in this state which is a baccalaureate degree-granting institution of higher education; which is

39 accredited by the Southern Association of Colleges and Schools Commission on
40 Colleges as a Level VI institution; which is not a Bible school or college (or, at the
41 graduate level, a school or college of theology or divinity); which admits as regular
42 students only persons who have a high school diploma, a state approved high school
43 equivalency (HSE) diploma, or a degree from an accredited postsecondary institution;
44 whose students are eligible to participate in the federal Pell Grant program; which has
45 been reviewed and approved for operation and for receipt of tuition equalization grant
46 funds by the Georgia Nonpublic Postsecondary Education Commission; which is
47 domiciled and incorporated in the State of Georgia; which has been located in this
48 state since on or before January 1, 2021; and which met all of the requirements of this
49 subparagraph by January 1, 2021; provided, however, that the criteria for approval for
50 receipt of tuition equalization grant funds shall include but not be limited to areas of
51 course study; quality of academic instruction; student placement rate; research and
52 library resources; faculty; support staff; financial resources; instructional campuses,
53 facilities, or other physical sites; and support and equipment resources.

54 (ii) A qualified proprietary institution of higher education located in this state which
55 is a baccalaureate degree-granting institution offering a baccalaureate degree program
56 or programs in nursing; which is accredited by the Southern Association of Colleges
57 and Schools or by the Higher Learning Commission; which is accredited by the
58 Commission on Collegiate Nursing Education; which has a National Council
59 Licensure Examination four-year average passage rate of at least 80 percent; which
60 is not a Bible school or college (or, at the graduate level, a school or college of
61 theology or divinity); which admits as regular students only persons who have a high
62 school diploma, a state approved high school equivalency (HSE) diploma, or a degree
63 from an accredited postsecondary institution; whose students are eligible to participate
64 in the federal Pell Grant program; which has been reviewed and approved for
65 operation and for receipt of tuition equalization grant funds by the Georgia Nonpublic

66 Postsecondary Education Commission; which has at least one instructional campus
67 that has been physically located in the State of Georgia for at least ten years, as of
68 June 30, 2025; provided, however, that only such institution's baccalaureate degree
69 program or programs in nursing shall be deemed an approved school for the purposes
70 of this subpart; and provided, further, that, notwithstanding any provision to the
71 contrary in Code Section 20-2-161.3 or subparagraph (D) of paragraph (7) of Code
72 Section 20-3-519, an institution or program that is deemed an approved school
73 pursuant to this division shall not be deemed an eligible postsecondary institution, as
74 defined in Code Section 20-3-519, or for purposes of the Dual Enrollment Act, as
75 provided for in Code Section 20-2-161.3, or for any other scholarship, loan, or grant
76 program provided for in this article, including HOPE scholarships and grants.

77 ~~(ii)~~(iii) Any proprietary institution that is otherwise qualified pursuant to division (i)
78 of this subparagraph on July 1, 1995, shall be deemed to be eligible for receipt of
79 tuition equalization grant funds subject, however, to any subsequent review of such
80 approval pursuant to any proper regulations which may thereafter be adopted in
81 accordance with paragraph (10) of subsection (b) of Code Section 20-3-250.5
82 applicable to all qualified proprietary institutions.

83 ~~(iii)~~(iv) Any proprietary institution of higher education that is otherwise qualified
84 pursuant to division (i) of this subparagraph on January 1, 2011, shall continue to be
85 an approved school pursuant to this paragraph as long as it continues to meet the
86 requirements of division (i) of this subparagraph as such existed on March 14, 2011."

87 **SECTION 3.**

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