

The Senate Committee on Higher Education offered the following substitute to HB 1413:

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 20, 31, 47, and 50 of the Official Code of Georgia Annotated, relating to
2 education, health, retirement and pensions, and state government, respectively, so as to
3 amend various provisions relating to higher education; to establish the DREAMS
4 scholarship; to provide for eligibility; to create an endowment fund for such scholarship; to
5 provide for reports; to provide for definitions; to modify the maximum contribution limit for
6 savings trust accounts under the Georgia Higher Education Savings Plan; to require the
7 possession of opioid antagonists by institutions within the University System of Georgia and
8 units within the Technical College System of Georgia; to provide for definitions; to provide
9 for possession of opioid antagonists by certain individuals; to require the maintenance of a
10 stock supply of opioid antagonists; to provide for the use and location of opioid antagonist
11 storage compartments; to authorize certain personnel to administer opioid antagonists and
12 carry opioid antagonists; to provide for immunity; to provide that neither civil liability nor
13 professional discipline shall accrue to personnel, the systems, or institutions or units thereof;
14 to make conforming changes; to exclude part-time students from membership in the Georgia
15 Defined Contribution Plan; to modify provisions relating to the minimum reserve amount of
16 the lottery shortfall reserve; to provide for effective dates and applicability; to provide for
17 related matters; to repeal conflicting laws; and for other purposes.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

19 **PART I**
20 **SECTION 1-1.**

21 Title 20 of the Official Code of Georgia Annotated, relating to education is amended in Part
22 3 of Article 7 of Chapter 3, relating to the Georgia Student Finance Authority, is amended
23 by adding a new subpart to read as follows:

24 "Subpart 2B

25 20-3-367.

26 As used in this subpart, the term:

27 (1) 'Academic year,' 'first professional degree program,' 'matriculated status,' 'quarter
28 hours,' and 'semester hours' shall have the same meanings as set forth in Code
29 Section 20-3-519.

30 (2) 'Cost of attendance' means the estimate of a student's educational expenses as
31 calculated by the eligible postsecondary institution at which such student is enrolled
32 pursuant to Title IV.

33 (3) 'DREAMS scholarship' or 'scholarship' means the Dedicating Resources to
34 Educationally Advance More Students (DREAMS) scholarship provided for in this
35 subpart.

36 (4) 'DREAMS Scholarship Endowment Fund' or 'endowment fund' means the DREAMS
37 Scholarship Endowment Fund provided for in Code Section 20-3-367.2.

38 (5) 'Eligible postsecondary institution' means:

39 (A) An institution of the University System of Georgia; and

40 (B) A unit of the Technical College System of Georgia.

41 (6) 'Financial aid' means all scholarships and grants awarded to a student, excluding the
42 DREAMS scholarship.

43 (7) 'Grade point average' means the grade point average calculated by the commission
44 for purposes of the HOPE scholarship provided for in Part 7 of this article.

45 (8) 'Student aid index' means the student aid index calculated in accordance with
46 Title IV.

47 (9) 'Title IV' means Title IV of the federal Higher Education Act of 1965, as amended,
48 20 U.S.C. Section 1070, et seq.

49 (10) 'Unmet financial need' means the amount of the cost of attendance remaining after
50 the student aid index and all other financial aid received by the student have been applied.

51 20-3-367.1.

52 (a) To be eligible for a DREAMS scholarship, a student seeking an undergraduate degree
53 at an eligible postsecondary institution shall:

54 (1) Meet the requirements provided for in paragraph (1) of subsection (a) and
55 subsection (b) of Code Section 20-3-519.1;

56 (2) Complete the Free Application for Federal Student Aid (FAFSA);

57 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
58 undergraduate student in a matriculated status;

59 (4) Be enrolled for not less than six semester hours, or the equivalent quarter hours, in
60 any given semester or quarter;

61 (5) Have not yet earned a baccalaureate or first professional degree; and

62 (6) Have unmet financial need.

63 (b) To maintain eligibility for a scholarship under this subpart, a student shall:

64 (1) Continue to meet the eligibility requirements provided for in subsection (a) of this
65 Code section; and

66 (2) Maintain a minimum 2.0 grade point average and satisfactory academic progress in
67 accordance with the standards and practices used for Title IV programs by the institution
68 at which such student is enrolled.

69 (c) Using moneys from the endowment fund, the authority shall provide scholarships to
70 eligible students in accordance with the following conditions:

71 (1) The maximum award amount per student per academic year shall be \$3,000.00;
72 provided, however, that no student shall be awarded an amount that is more than such
73 student's unmet financial need; and

74 (2) No student shall receive a scholarship award for more than eight semesters or 12
75 quarters.

76 (d) Each student who is awarded a scholarship shall:

77 (1) Complete a financial literacy course; and

78 (2) Be engaged in paid or unpaid work at least part-time, which may include, but shall
79 not be limited to, employment, an internship or externship, volunteer work, or military
80 service.

81 20-3-367.2.

82 (a) There is created the DREAMS Scholarship Endowment Fund as a separate fund in the
83 state treasury. The endowment fund shall be administered by the authority. Moneys in the
84 endowment fund shall be used only as provided for in this subpart. All appropriations
85 made by the General Assembly for the scholarship and all public or private grants, gifts,
86 donations, or contributions received for the scholarship shall be credited to the endowment
87 fund. Unless specifically designated otherwise, all moneys credited to the endowment fund
88 shall be credited to the principal account. All moneys appropriated or otherwise paid or
89 credited to the endowment fund shall be presumptively concluded to have been committed
90 to the purpose for which they have been appropriated, paid, or credited and shall not lapse.

91 (b) Three separate accounts shall be created within the endowment fund:

92 (1) The principal account shall constitute the permanent endowment corpus. Except as
93 otherwise provided in this Code section, moneys credited to such account shall not be
94 appropriated, transferred, expended, encumbered, or otherwise diverted. The authority
95 shall determine the minimum amount of moneys needed in the principal account in order
96 to produce sufficient funds to sustain scholarship awards;

97 (2) The scholarship account shall consist of moneys allocated to such account pursuant
98 to the spending policy adopted by the authority. Moneys in such account shall be used
99 to provide scholarship awards in accordance with this subpart; and

100 (3) The transitional scholarship account shall consist of funds appropriated for
101 scholarship awards during the first two fiscal years of the scholarship. Moneys in such
102 account shall be used to provide scholarships in accordance with this subpart.

103 (c) The authority shall adopt an investment policy which provides for the investment of
104 moneys in the principal account as a pooled portfolio in accordance with prudent investor
105 standards applicable to public trust funds. Such investment policy shall include provisions
106 to preserve and grow the long-term value of the principal account while promoting the
107 stability and sustainability of scholarship awards.

108 (d) In the event of a shortfall in moneys available for scholarship awards compared with
109 projected expenditures for scholarship awards over the same period, and if such shortfall
110 will have a materially adverse effect on scholarship awards, the authority shall be
111 authorized to adopt an emergency stabilization authorization to allow the distribution or
112 transfer of moneys from the principal account so as to mitigate any reduction in such
113 awards. Such authorization shall:

114 (1) Require a two-thirds' majority vote of the board of the authority for adoption;

115 (2) Be limited to the minimum amount necessary to mitigate any reduction in awards;

116 (3) Not be used to permanently increase award levels;

117 (4) Provide for the principal account to be replenished to not less than the minimum
118 amount determined by the authority pursuant to paragraph (1) of subsection (b) of this
119 Code section; and

120 (5) Expire within one year; provided, however, that this shall not prohibit consecutive
121 emergency stabilization authorizations.

122 (e) The authority shall adopt a spending policy which provides for the allocation of
123 earnings to the principal account and to the scholarship account at the end of each fiscal
124 year. Such spending policy shall:

125 (1) Require that earnings allocated to the principal account shall be used to grow the
126 permanent endowment corpus in accordance with the investment policy; and

127 (2) Require that earnings allocated to the scholarship account shall be used to provide
128 scholarships in accordance with Code Section 20-3-367.1

129 (f) During the first two fiscal years following capitalization of the endowment fund,
130 scholarship awards shall be paid from the transitional scholarship account. The transitional
131 scholarship account shall terminate at the end of the second fiscal year following
132 capitalization of the fund, and any remaining moneys shall be transferred to the principal
133 account. In the third fiscal year following capitalization of the fund and each fiscal year
134 thereafter, scholarship awards shall be paid from the scholarship account.

135 (g) Not later than December 1 of the second fiscal year following capitalization of the fund
136 and each fiscal year thereafter, the authority shall prepare and publish on its website an
137 annual report regarding the endowment fund for the immediately preceding fiscal year.
138 Such report shall include the endowment fund's market value, investment performance,
139 scholarship distributions, any distributions or transfers from the principal account, and
140 confirmation of compliance with the requirements of this Code section and the policies
141 adopted pursuant to this Code section.

142 20-3-367.3.

143 Not later than December 1 each year, the authority shall provide a report on the DREAMS
144 scholarship and the endowment fund to the Governor, the Speaker of the House of
145 Representatives, the President of the Senate, the chairpersons of the House Committee on
146 Higher Education and the Senate Higher Education Committee, the chancellor of the
147 University System of Georgia, and the commissioner of the Technical College System of
148 Georgia."

149

PART II

150

SECTION 2-1.

151 Said title is further amended in Code Section 20-3-634, relating to savings trust accounts,
152 availability, and terms and provisions relative to the Georgia Higher Education Savings Plan,
153 by revising paragraph (1) of subsection (b) as follows:

154 "(1) The maximum and minimum contribution allowed on behalf of each beneficiary for
155 the payment of qualified higher education expenses at eligible institutions as defined in
156 Section 529 of the Internal Revenue Code of 1986 or other applicable federal law;
157 provided, however, that no additional contributions may be made to a savings trust
158 account when the total account balance for all accounts for the beneficiary equals or
159 exceeds ~~\$235,000.00~~ \$550,000.00;"

160

PART III

161

SECTION 3-1.

162 Said title is further amended in Part 2 of Article 2 of Chapter 3, relating to university system,
163 by adding a new Code section to read as follows:

164 "20-3-88.

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

166 (1) 'Automated external defibrillator' means a defibrillator which:

167 (A) Is capable of cardiac rhythm analysis;

168 (B) Will charge and be capable of being activated to deliver a countershock after
169 electrically detecting the presence of certain cardiac dysrhythmias; and

170 (C) Is capable of continuous recording of the cardiac dysrhythmia at the scene with a
171 mechanism for transfer and storage or for printing for review subsequent to use.

172 (2) 'Community funding source' means local sources of capital provided by local banking
173 institutions, including credit unions, community foundations, county or municipal
174 governments, businesses, or residents. Such funding sources may include grants, gifts,
175 contracts, monetary donations, or loans.

176 (3) 'Institution' means any college, school, academy, university, or experiment station at
177 any particular location which forms a part of the university system.

178 (4) 'Opioid antagonist' shall have the same meaning as set forth in Code Section
179 26-4-116.2.

180 (5) 'Opioid antagonist storage compartment' means the structure in which opioid
181 antagonists may be stored.

182 (6) 'University system' means the University System of Georgia.

183 (b) No student, visitor, or university system employee shall be prohibited from possessing
184 an opioid antagonist on university system property or at a university system sponsored
185 activity.

186 (c) Subject to available funding from community funding sources, each institution shall
187 acquire and maintain a supply of opioid antagonists in any secure location in such a
188 quantity to be used for multiple opioid overdose events; provided, however, that, if there
189 occurs a shortage of opioid antagonists, the institution shall make a reasonable effort to

190 maintain its supply of opioid antagonists. Any such supply shall be maintained in
191 accordance with the manufacturer's instructions.

192 (d) Subject to available funding from community funding sources, each institution
193 maintaining one or more automated external defibrillators shall maintain opioid antagonists
194 in an opioid antagonist storage compartment which shall be located within three feet of
195 such defibrillators or as close as space reasonably allows.

196 (e) Any university system personnel may administer an opioid antagonist to any person
197 who the university system personnel believes in good faith to be experiencing an opioid
198 overdose:

199 (1) While at an institution;

200 (2) While at a university system sponsored activity;

201 (3) While under the supervision of university system personnel; or

202 (4) Before or after normal institution activities.

203 (f) Any university system personnel who in good faith administers or chooses not to
204 administer an opioid antagonist shall be immune from civil liability or professional
205 discipline for any act or omission to act related to the administration of an opioid
206 antagonist, except that such immunity shall not apply to an act of willful or wanton
207 misconduct.

208 (g) Neither civil liability nor professional discipline shall accrue to university system
209 personnel and no civil liability shall accrue to the university system or to any institution of
210 such system due to the removal or misuse of an opioid antagonist or antagonists; provided,
211 however, that immunity shall not apply to an act of willful or wanton misconduct."

212

SECTION 3-2.

213 Said title is further amended in Article 2 of Chapter 4, relating to technical and adult
214 education, by adding a new Code section to read as follows:

215 "20-4-39.1.

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

217 (1) 'Automated external defibrillator' means a defibrillator which:

218 (A) Is capable of cardiac rhythm analysis;

219 (B) Will charge and be capable of being activated to deliver a countershock after
220 electrically detecting the presence of certain cardiac dysrhythmias; and

221 (C) Is capable of continuous recording of the cardiac dysrhythmia at the scene with a
222 mechanism for transfer and storage or for printing for review subsequent to use.

223 (2) 'Community funding source' means local sources of capital provided by local banking
224 institutions, including credit unions, community foundations, county or municipal
225 governments, businesses, or residents. Such funding sources may include grants, gifts,
226 contracts, monetary donations, or loans.

227 (3) 'Opioid antagonist' shall have the same meaning as set forth in Code Section
228 26-4-116.2.

229 (4) 'Opioid antagonist storage compartment' means the structure in which opioid
230 antagonist may be stored.

231 (5) 'Technical college system' means the Technical College System of Georgia.

232 (6) 'Unit' means any institution, college, school, academy, or experiment station at any
233 particular location which forms a part of the technical college system.

234 (b) No student, visitor, or technical college system employee shall be prohibited from
235 possessing an opioid antagonist on technical college system property or at a technical
236 college system sponsored activity.

237 (c) Subject to available funding from community funding sources, each unit shall acquire
238 and maintain a supply of opioid antagonists in any secure location in such a quantity to be
239 used for multiple opioid overdose events; provided, however, that, if there occurs a
240 shortage of opioid antagonists, the unit shall make a reasonable effort to maintain its supply

241 of opioid antagonists. Any such supply shall be maintained in accordance with the
242 manufacturer's instructions.

243 (d) Subject to available funding from community funding sources, each unit maintaining
244 one or more automated external defibrillators shall maintain opioid antagonists in an opioid
245 antagonist storage compartment which shall be located within three feet of such
246 defibrillators or as close as space reasonably allows.

247 (e) Any technical college system personnel may administer an opioid antagonist to any
248 person who the technical college system personnel believes in good faith to be
249 experiencing an opioid overdose:

250 (1) While at a unit;

251 (2) While at a technical college system sponsored activity;

252 (3) While under the supervision of technical college system personnel; or

253 (4) Before or after normal unit activities.

254 (f) Any technical college system personnel who in good faith administers or chooses not
255 to administer an opioid antagonist pursuant to this Code section shall be immune from civil
256 liability or professional discipline for any act or omission to act related to the
257 administration of an opioid antagonist, except that such immunity shall not apply to an act
258 of willful or wanton misconduct.

259 (g) Neither civil liability nor professional discipline shall accrue to technical college
260 system personnel and no civil liability shall accrue to the technical college system or any
261 unit of such system due to the removal or misuse of an opioid antagonist or antagonists;
262 provided, however, that immunity shall not apply to an act of willful or wanton
263 misconduct."

264

SECTION 3-3.

265 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in Code
266 Section 31-2A-20, relating to accessibility to opioid antagonists in government buildings and

267 courthouses, guidelines and training, and limitations on liability, by revising subsection (a)
268 as follows:

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

270 (1) 'Automated external defibrillator' shall have the same meaning as set forth in Code
271 Section 31-11-53.1.

272 (2) 'Courthouse' means a building occupied by judicial courts and containing rooms in
273 which judicial proceedings are held, provided that such building contains an automated
274 external defibrillator.

275 (3) 'Government entity' means any state board, commission, agency, or department, or
276 the governing authority of any county, municipality, or consolidated government, but
277 such term shall not include local school systems, public schools, charter schools, ~~or~~
278 ~~university buildings~~ the University System of Georgia, or the Technical College System
279 of Georgia.

280 (4) 'Opioid antagonist' shall have the same meaning as set forth in Code Section
281 26-4-116.2.

282 (5) 'Opioid related overdose' shall have the same meaning as set forth in Code Section
283 26-4-116.2.

284 (6) 'Qualified government building' means a building in which a government entity is
285 housed or meets in its official capacity, including the portion occupied by a government
286 entity of any building that is not publicly owned, provided that such building contains an
287 automated external defibrillator, but such term shall not include a university building.

288 (7) 'University building' means any building which forms a part of the University System
289 of Georgia, including any college or university under the government, control, and
290 management of the Board of Regents of the University System of Georgia, or any
291 building under the control of the State Board of the Technical College System of
292 Georgia."

293

PART IV

294

SECTION 4-1.

295 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is
296 amended by revising Code Section 47-22-1, relating to definitions regarding the Georgia
297 Defined Contribution Plan, as follows:

298 "47-22-1.

299 As used in this chapter, the term:

300 (1) 'Accumulated contributions' means the sum of all amounts deducted from the
301 compensation of a member's salary and credited to such member's individual account in
302 this plan, together with earnings thereon as provided in this chapter.

303 (2) 'Board' means the Board of Trustees of the Employees' Retirement System of
304 Georgia.

305 (3) 'Defined contribution plan' means a plan which provides for an individual account
306 for each participant and for benefits based solely on the amount contributed to the
307 participant's account; any income, expenses, gains, and losses; and any forfeiture of
308 accounts of other participants which may be allocated to such participant's account, which
309 plan is intended to be qualified under Section 401(a) of the Internal Revenue Code, 42
310 U.S.C. Section 401(a).

311 (4) 'Employee' means any employee of an employer who is not a member of any public
312 retirement or pension system created pursuant to this title; provided, however, that the
313 following persons shall not be considered employees under this paragraph:

314 (A) A person performing services for an institution in which such person is duly
315 enrolled as a part-time or full-time student;

316 (B) A person performing services for an employer pursuant to a contract as a bona fide
317 independent contractor; or

318 (C) Members of any state board or commission.

319 (5) 'Employer' means the state or any department, bureau, institution, board, or
 320 commission of the state, the State Board of Education, and the Board of Regents of the
 321 University System of Georgia.

322 (6) 'Member' means any employee included in the membership of the plan.

323 (7) 'Plan' means the Georgia Defined Contribution Plan created by this chapter.

324 (8) 'Plan year' means the 12 month period beginning July 1 of each year."

325 **PART V**

326 **SECTION 5-1.**

327 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 328 in Code Section 50-27-13, relating to disposition of lottery proceeds, budget report by
 329 Governor, appropriations by General Assembly, and shortfall reserve subaccount, by revising
 330 paragraph (3) of subsection (b) as follows:

331 "(3)(A) As used in this paragraph, the term 'base lottery spend' means expenditures
 332 from lottery proceeds for voluntary pre-kindergarten and for tuition grants,
 333 scholarships, or loans to citizens of this state to enable such citizens of this state to
 334 attend colleges and universities located within this state, regardless of whether such
 335 colleges and universities are owned or operated by the board of regents or to attend
 336 institutions operated under the authority of the Technical College System of Georgia.
 337 Such term shall not include expenditures from excess reserve funds required to be
 338 appropriated for educational purposes and programs pursuant to subparagraph (B) of
 339 this paragraph.

340 (B) A Beginning in Fiscal Year 2025, a shortfall reserve shall be maintained within the
 341 Lottery for Education Account in an amount equal to at least 50 percent of the average
 342 amount of net proceeds deposited into or base lottery spend from such account for the
 343 preceding three fiscal years, whichever is greater, hereinafter referred to as the

344 minimum reserve. Beginning in Fiscal Year 2025 and for each fiscal year thereafter,
 345 if on the last day of the preceding fiscal year the total reserve fund balance exceeds the
 346 minimum reserve, an amount equal to 10 percent of the excess reserve funds, meaning
 347 the amount that the total reserve fund balance exceeds the minimum reserve, shall be
 348 appropriated for educational purposes and programs.

349 ~~(B)~~(C) If the net proceeds paid into the Lottery for Education Account in any year are
 350 not sufficient to meet the amount appropriated for educational purposes and programs,
 351 the shortfall reserve may be drawn upon to meet the deficiency and any amount so
 352 drawn may count for purposes of appropriations in subparagraph ~~(A)~~ (B) of this
 353 paragraph.

354 ~~(C)~~(D) If the shortfall reserve is drawn upon and falls below 50 percent of the average
 355 amount of net proceeds deposited into or base lottery spend from such account for the
 356 preceding three fiscal years, whichever is greater, the shortfall reserve shall be
 357 replenished to the level required by subparagraph ~~(A)~~ (B) of this paragraph in the next
 358 fiscal year and the lottery funded programs shall be reviewed and adjusted accordingly."

359 PART VI

360 SECTION 6-1.

361 (a) Except as otherwise provided in this section, this Act shall become effective on July 1,
 362 2026.

363 (b) Part II of this Act shall become effective upon its approval by the Governor or upon
 364 its becoming law without such approval.

365 (c) Part I of this Act shall apply to all academic years beginning with the 2026-2027
 366 academic year.

367 (d) Part V of this Act shall apply to all fiscal years beginning in Fiscal Year 2027.

368

PART VII

369

SECTION 7-1.

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