

Senate Bill 556

By: Senators Payne of the 54th, Still of the 48th, Williams of the 25th, Sims of the 12th and
Hickman of the 4th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Titles 20, 31, 47, 48, and 50 of the Official Code of Georgia Annotated, relating
2 to education, health, retirement and pensions, revenue and taxation, and state government,
3 respectively, so as to amend various provisions relating to higher education; to establish the
4 DREAMS scholarship; to provide for policies; to provide for eligibility; to create an
5 endowment fund for such scholarship; to provide for reports; to provide for the inclusion of
6 advanced fine arts courses in the calculation of grade point averages for determining student
7 eligibility for the HOPE scholarships and other scholarships; to provide for an exception; to
8 require the possession of opioid antagonists by institutions within the University System of
9 Georgia and units within the Technical College System of Georgia; to provide for
10 definitions; to provide for possession of opioid antagonists by certain individuals; to require
11 the maintenance of a stock supply of opioid antagonists; to provide for the use and location
12 of opioid antagonist storage compartments; to authorize certain personnel to administer
13 opioid antagonists and carry opioid antagonists; to provide for immunity; to provide that
14 neither civil liability nor professional discipline shall accrue to personnel, the systems, or
15 institutions or units thereof; to make conforming changes; to establish a scholarship for
16 students enrolled medical school; to provide for eligibility; to provide terms and conditions;
17 to modify the maximum contribution limit for savings trust accounts under the Georgia
18 Higher Education Savings Plan; to create a deduction from taxable net income for

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19 contributions to certain qualified tuition programs; to provide for publication of list of
20 qualified tuition programs; to exclude part-time students from membership in the Georgia
21 Defined Contribution Plan; to modify provisions relating to the minimum reserve amount of
22 the lottery shortfall reserve; to provide for effective dates and applicability; to provide
23 definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

25 **PART I**
26 **SECTION 1-1.**

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

30 "Subpart 2B

31 20-3-367.

32 As used in this subpart, the term:

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

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

39 (3) 'DREAMS scholarship' or 'scholarship' means the Dedicating Resources to
40 Educationally Advance More Students (DREAMS) scholarship provided for in this
41 subpart.

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

44 (5) 'Eligible postsecondary institution' means:

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

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

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

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

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

53 (9) 'Title IV' means Title IV of the federal Higher Education Act of 1965, as amended,
54 20 U.S.C. Section 1070, et seq.

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

57 20-3-367.1.

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

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

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

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

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

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

68 (6) Have unmet financial need.

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

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

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

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

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

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

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

83 (1) Complete a financial literacy course; and

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

87 20-3-367.2.

88 (a) There is created the DREAMS Scholarship Endowment Fund as a separate fund in the
89 state treasury. The endowment fund shall be administered by the authority. Moneys in the
90 endowment fund shall be used only as provided for in this subpart. All appropriations

91 made by the General Assembly for the scholarship and all public or private grants, gifts,
92 donations, or contributions received for the scholarship shall be credited to the endowment
93 fund. Unless specifically designated otherwise, all moneys credited to the endowment fund
94 shall be credited to the principal account. All moneys appropriated or otherwise paid or
95 credited to the endowment fund shall be presumptively concluded to have been committed
96 to the purpose for which they have been appropriated, paid, or credited and shall not lapse.

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

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

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

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

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

114 (d) In the event of a shortfall in moneys available for scholarship awards compared with
115 projected expenditures for scholarship awards over the same period, and if such shortfall
116 will have a materially adverse effect on scholarship awards, the authority shall be
117 authorized to adopt an emergency stabilization authorization to allow the distribution or

118 transfer of moneys from the principal account so as to mitigate any reduction in such
119 awards. Such authorization shall:

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

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

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

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

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

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

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

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

135 (f) During the first two fiscal years following capitalization of the endowment fund,
136 scholarship awards shall be paid from the transitional scholarship account. The transitional
137 scholarship account shall terminate at the end of the second fiscal year following
138 capitalization of the fund, and any remaining moneys shall be transferred to the principal
139 account. In the third fiscal year following capitalization of the fund and each fiscal year
140 thereafter, scholarship awards shall be paid from the scholarship account.

141 (g) Not later than December 1 of the second fiscal year following capitalization of the fund
142 and each fiscal year thereafter, the authority shall prepare and publish on its website an
143 annual report regarding the endowment fund for the immediately preceding fiscal year.
144 Such report shall include the endowment fund's market value, investment performance,

145 scholarship distributions, any distributions or transfers from the principal account, and
 146 confirmation of compliance with the requirements of this Code section and the policies
 147 adopted pursuant to this Code section.

148 20-3-367.3.

149 Not later than December 1 each year, the authority shall provide a report on the DREAMS
 150 scholarship and the endowment fund to the Governor, the Speaker of the House of
 151 Representatives, the President of the Senate, the chairpersons of the House Committee on
 152 Higher Education and the Senate Higher Education Committee, the chancellor of the
 153 University System of Georgia, and the commissioner of the Technical College System of
 154 Georgia."

155 **PART II**

156 **SECTION 2-1.**

157 Said title is further amended in Code Section 20-2-157, relating to uniform reporting system
 158 for certain purposes, dual credit courses, and academic eligibility requirements to receive
 159 HOPE scholarship, by revising subsection (a.1), paragraph (3.1) of subsection (b), and
 160 paragraph (3) of subsection (c) as follows:

161 "(a.1) As used in this Code section, the term:

162 (1) 'Dual ~~that~~ credit course' shall have the same meaning as in Code Section 20-2-161.3.

163 (2) 'Advanced fine arts' means an advanced fine arts course that includes a standardized
 164 end-of-course assessment written and graded by a third party and for which the
 165 Department of Education has designated a unique course number and name indicating
 166 that such course is classified as advanced."

167 "(3.1) For students otherwise qualified and enrolling in the ninth grade for the first time
 168 during the 2008-2009 school year and thereafter, the Georgia Student Finance

169 Commission shall calculate grade point averages for determining eligibility for the HOPE
170 scholarship and other scholarships referenced in this Code section by equating each grade
171 for a student in attempted coursework in English, mathematics, science, social studies,
172 advanced fine arts, and foreign language during the student's ninth, tenth, eleventh, or
173 twelfth grade year to a grade on a 4.0 scale, such that a grade of 'A' = 4.0, a grade of 'B'
174 = 3.0, a grade of 'C' = 2.0, a grade of 'D' = 1.0, and a grade of 'F' = 0. Grades for
175 coursework that is classified as advanced placement, a dual credit course, or international
176 baccalaureate shall be weighted uniformly by the Georgia Student Finance Commission
177 in calculating the overall grade point averages for students, provided that the weighting
178 of such course grades is uniformly applied to all students in this state taking the specified
179 coursework. The sum of the equated grades shall be divided by the number of course
180 grades, adjusted for term length, to yield a grade point average on a 4.0 scale; and"
181 "(3) The Georgia Student Finance Commission shall calculate a grade point average for
182 the purpose of determining eligibility for the HOPE scholarship from these electronic
183 transcripts and shall notify students of their potential eligibility and high schools as to the
184 potential eligibility of students; provided, however, that the Georgia Student Finance
185 Commission shall not include advanced fine arts course grades in the calculation of any
186 grade point average for any student who graduated from high school before July 1, 2026."

187 **PART III**

188 **SECTION 3-1.**

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

191 "20-3-88.

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

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

- 194 (A) Is capable of cardiac rhythm analysis;
195 (B) Will charge and be capable of being activated to deliver a countershock after
196 electrically detecting the presence of certain cardiac dysrhythmias; and
197 (C) Is capable of continuous recording of the cardiac dysrhythmia at the scene with a
198 mechanism for transfer and storage or for printing for review subsequent to use.
- 199 (2) 'Community funding source' means local sources of capital provided by local banking
200 institutions, including credit unions, community foundations, county or municipal
201 governments, businesses, or residents. Such funding sources may include grants, gifts,
202 contracts, monetary donations, or loans.
- 203 (3) 'Institution' means any college, school, academy, university, or experiment station at
204 any particular location which forms a part of the university system.
- 205 (4) 'Opioid antagonist' shall have the same meaning as set forth in Code
206 Section 26-4-116.2.
- 207 (5) 'Opioid antagonist storage compartment' means the structure in which opioid
208 antagonists may be stored.
- 209 (6) 'University system' means the University System of Georgia.
- 210 (b) No student, visitor, or university system employee shall be prohibited from possessing
211 an opioid antagonist on university system property or at a university system sponsored
212 activity.
- 213 (c) Subject to available funding from community funding sources, each institution shall
214 acquire and maintain a supply of opioid antagonists in any secure location in such a
215 quantity to be used for multiple opioid overdose events; provided, however, that, if there
216 occurs a shortage of opioid antagonists, the institution shall make a reasonable effort to
217 maintain its supply of opioid antagonists. Any such supply shall be maintained in
218 accordance with the manufacturer's instructions.
- 219 (d) Subject to available funding from community funding sources, each institution
220 maintaining one or more automated external defibrillators shall maintain opioid antagonists

221 in an opioid antagonist storage compartment which shall be located within three feet of
222 such defibrillators or as close as space reasonably allows.

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

226 (1) While at an institution;

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

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

229 (4) Before or after normal institution activities.

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

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

239 **SECTION 3-2.**

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

242 "20-4-39.1.

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

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

245 (A) Is capable of cardiac rhythm analysis;

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

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

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

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

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

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

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

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

264 (c) Subject to available funding from community funding sources, each unit shall acquire
265 and maintain a supply of opioid antagonists in any secure location in such a quantity to be
266 used for multiple opioid overdose events; provided, however, that, if there occurs a
267 shortage of opioid antagonists, the unit shall make a reasonable effort to maintain its supply
268 of opioid antagonists. Any such supply shall be maintained in accordance with the
269 manufacturer's instructions.

270 (d) Subject to available funding from community funding sources, each unit maintaining
271 one or more automated external defibrillators shall maintain opioid antagonists in an opioid

272 antagonist storage compartment which shall be located within three feet of such
273 defibrillators or as close as space reasonably allows.

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

277 (1) While at a unit;

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

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

280 (4) Before or after normal unit activities.

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

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

291 **SECTION 3-3.**

292 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in Code
293 Section 31-2A-20, relating to accessibility to opioid antagonists in government buildings and
294 courthouses, guidelines and training, and limitations on liability, by revising subsection (a)
295 as follows:

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

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

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

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

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

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

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

315 (7) 'University building' means any building which forms a part of the University System
316 of Georgia, including any college or university under the government, control, and
317 management of the Board of Regents of the University System of Georgia, or any
318 building under the control of the State Board of the Technical College System of
319 Georgia."

320

PART IV

321

SECTION 4-1.

322 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in
323 Part 6 of Article 7 of Chapter 3, relating to medical scholarships, by designating the existing
324 provisions of said part as Subpart 2, by replacing "this part" and "This part" with "this
325 subpart" and "This subpart", respectively, everywhere such terms occur in the new Subpart 2,
326 and by adding a new subpart to read as follows:

327

"Subpart 1328 20-3-505.329 As used in this subpart, the term:

330 (1) 'Academic year' and 'full-time' shall have the same meanings as set forth in Code
331 Section 20-3-519.

332 (2) 'Applicant' means an individual who applies for a scholarship under this subpart.

333 (3) 'Authority' means the Georgia Student Finance Authority.

334 (4) 'Cost of attendance' means the estimate of a student's educational expenses as
335 calculated by the eligible postsecondary institution at which such student is enrolled
336 pursuant to Title IV.

337 (5) 'Eligible applicant' means an applicant who meets the eligibility criteria provided for
338 in this subpart.

339 (6) 'Eligible medical school' means a medical school in the University System of
340 Georgia.

341 (7) 'Scholarship' means a scholarship provided for in this subpart.

342 (8) 'Title IV' means Title IV of the federal Higher Education Act of 1965, as amended,
343 20 U.S.C. Section 1070, et seq.

344 20-3-506.

345 (a) To be eligible for a scholarship under this subpart, an applicant seeking a medical
346 degree at an eligible medical school shall:

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

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

350 (3) Meet enrollment standards by being enrolled full-time in an eligible medical school
351 and making satisfactory academic progress in accordance with the standards and practices
352 used for Title IV programs by the medical school at which such student is enrolled;

353 (4) Have not yet earned a medical degree; and

354 (5) Submit an application for such scholarship.

355 (b) Subject to appropriations, the authority shall award scholarships to eligible applicants
356 in accordance with the following terms and conditions:

357 (1) The maximum award amount per applicant per academic year shall not exceed such
358 student's cost of attendance;

359 (2) No applicant shall receive a scholarship award for more than eight semesters; and

360 (3) Each scholarship awarded pursuant to this subpart shall be conditional upon the
361 applicant agreeing that the full amount of the scholarship shall be repaid to the State of
362 Georgia in services to be rendered by such applicant by practicing medicine in this state
363 for not less than four years after graduation from an eligible medical school.

364 (c) Before being awarded a scholarship, each eligible applicant shall enter into a contract
365 with the authority agreeing to the terms and conditions upon which such scholarship is
366 granted, including such terms and conditions as set forth in this subpart. Each such
367 contract shall provide that, in the event such recipient does not complete medical school
368 and fails to receive a medical degree, fails to obtain licensure from the Georgia Composite
369 Medical Board to practice medicine, or fails to practice medicine in this state in accordance
370 with the requirements of this subpart, the recipient shall repay any and all scholarship

371 awards received pursuant to this subpart; provided, however that for each year of practicing
 372 medicine in this state, such applicant shall receive credit for the amount of the scholarship
 373 received during any one year in an eligible medical school."

374

PART V

375

SECTION 5-1.

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

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

385

SECTION 5-2.

386 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
 387 amended in Code Section 48-7-27, relating to computation of taxable net income, by adding
 388 a new paragraph to subsection (a) to read as follows:

389 "(11.5)(A)(i) As used in this paragraph, the term 'qualified tuition program' means a
 390 qualified tuition program established and maintained by a state or agency or
 391 instrumentality thereof which is exempt from taxation pursuant to Section 529 of the
 392 Internal Revenue Code of 1986, other than the qualified tuition program established
 393 pursuant to Article 11 of Chapter 3 of Title 20. Such term shall not include a
 394 qualified tuition program established or maintained by another state or agency or

395 instrumentality thereof unless such state grants an income tax deduction or tax credit
396 similar to the deduction provided for in this paragraph or in paragraph (11.1) for
397 contributions made to the qualified tuition program established pursuant to Article 11
398 of Chapter 3 of Title 20.

399 (ii) The department shall annually publish a list of qualified tuition programs on its
400 website.

401 (B) For taxable years beginning on or after January 1, 2026, and ending on or before
402 December 31, 2030, an amount equal to the amount of contributions to a qualified
403 tuition program, but not exceeding \$2,000.00 per beneficiary;

404 (C) If the contributor files a separate return or single return, the sum of contributions
405 constituting deductions on the contributor's return under this paragraph shall not
406 exceed \$2,000.00 per beneficiary; provided, however, that the sum of contributions
407 constituting deductions on such contributor's return under this paragraph and
408 paragraph (11.1) shall not exceed \$4,000.00 per beneficiary;

409 (D) If the contributor files a joint return, the sum of contributions constituting
410 deductions on the contributor's return under this paragraph shall not exceed \$4,000.00
411 per beneficiary; provided, however, that the sum of contributions constituting
412 deductions on such contributor's return under this paragraph and paragraph (11.1) shall
413 not exceed \$8,000.00 per beneficiary; and

414 (E) For purposes of this paragraph, contributions or payments for any such taxable year
415 may be made during or after such taxable year but on or before the deadline for making
416 contributions to an individual retirement account under federal law for such taxable
417 year;”

418
419

PART VI
SECTION 6-1.

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

423 "47-22-1.

424 As used in this chapter, the term:

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

428 (2) 'Board' means the Board of Trustees of the Employees' Retirement System of
429 Georgia.

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

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

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

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

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

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

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

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

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

450 PART VII

451 SECTION 7-1.

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

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

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

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

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

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

484 **PART VIII**

485 **SECTION 8-1.**

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

488 (b) Part V of this Act shall become effective upon its approval by the Governor or upon its
 489 becoming law without such approval.

490 (c) Parts I and IV of this Act shall apply to all academic years beginning with the 2026-2027
 491 academic year.

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

493

PART IX

494

SECTION 9-1.

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