

Senate Bill 405

By: Senators Millar of the 40th, Tippins of the 37th, Jackson of the 2nd, Cowsert of the 46th and Harbin of the 16th

A BILL TO BE ENTITLED  
AN ACT

To amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, so as to provide for grants for certain eligible students enrolled in an institution of the University System of Georgia; to define certain terms; to provide for application and administration; to provide for pro rata application; to provide for audits; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"Subpart 2A

20-3-360.

(a) As used in this subpart, the term:

(1) 'Eligible student' means a person whose family income does not exceed \$48,000.00 and who:

(A) Has been accepted for enrollment as a first year student in a qualified institution who has qualified for and is receiving a federal Pell Grant, is not qualified to receive a HOPE scholarship, achieved a high school grade point average of 2.3 through 3.0, and meets at least one of the following requirements:

(i) Has achieved an ACT composite scale score of 21 or higher;

(ii) Has achieved an SAT score of 480 or higher on evidence based reading and writing and 530 on mathematics;

(iii) Has achieved a score of 3 or higher on at least two advanced placement examinations;

(iv) Has achieved a score of 4 or higher on at least two international baccalaureate examinations;

(v) Has passed an end-of-pathway assessment under the Carl D. Perkins Vocational and Technical Education Act, 20 U.S.C. Section 2301, et seq.; or

(vi) Has completed a work based learning experience in a field related to at least one course in the same pathway of study;

(B) Is an enrolled continuing first year student in a qualified institution who is making satisfactory progress in his or her degree program; or

(C) Is a continuing student in a qualified institution who has become ineligible for a HOPE scholarship and qualifies under one of the provisions of divisions (i) through (vi) of subparagraph (A) of this paragraph during his or her high school career.

(2) 'Income' means federal adjusted gross income determined pursuant to the Internal Revenue Code of 1986, as amended, from all sources, and income derived from municipal bonds which is not included in federal adjusted gross income for federal income tax purposes.

(3) 'Qualified institution' means an institution of the university system.

20-3-361.

There is awarded to each eligible student a grant in an amount not to exceed \$1,500.00 per academic semester, contingent upon appropriations by the General Assembly. In order to remain eligible to receive such grant, a student must be employed at least 15 hours per week during the semester.

20-3-362.

Each eligible student wishing to receive the grant provided for in this subpart shall submit to the qualifying institution an application for the grant payment at the time and in accordance with procedures prescribed by the authority. The authority is authorized to define such terms and prescribe such rules, regulations, and procedures as may be reasonable and necessary to carry out the purposes of this subpart. The authority shall not approve payment of any grant until it has received from an appropriate officer of the qualifying institution a certification that the student applying for the grant is an eligible student. Upon timely receipt of such certification, in proper form, the authority is authorized to pay the grant to the qualifying institution on behalf of and to the credit of the student. In the event a student on whose behalf a grant is paid does not enroll as a full-time student for the academic semester for which the grant is paid, the qualifying institution shall make a refund to the authority in accordance with regulations of the authority.

20-3-363.

(a) In the event funds available to the authority are not sufficient to enable the authority to pay on behalf of eligible students the full grant prescribed by the General Assembly, grants payable for the remaining academic semesters shall be reduced by the authority on a pro rata basis.

(b) The authority shall use the following formula in calculating the budget for each qualifying institution: the combined amount of average annual tuition and mandatory fees minus the average annual Pell Grant award multiplied by the number of Pell Grant recipients from which has been subtracted the combined number of HOPE and Zell Miller scholarship recipients.

20-3-364.

Each qualified institution shall be subject to examination by the state auditor for the sole purpose of determining whether the institution has properly certified eligibility and enrollment of students and credited grants paid on behalf of such students; provided, however, that nothing in this subpart shall be construed to interfere with the authority of the institution to determine admissibility of students or to control its own curriculum, philosophy, purpose, or administration. In the event it is determined that a qualified institution knowingly or through error certified an ineligible student to be eligible for a grant under this subpart, the amount of the grant paid to such institution pursuant to such certification shall be refunded by such institution to the authority.

20-3-365.

Any person who knowingly makes or furnishes any false statement or misrepresentation or who accepts such statement or misrepresentation knowing it to be false for the purpose of enabling an ineligible student to obtain wrongfully a grant under this subpart shall be guilty of a misdemeanor."

**SECTION 2.**

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