

House Bill 729

By: Representatives Cheokas of the 138<sup>th</sup> and Jasperse of the 11<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to the Georgia Student Finance Authority, so as to establish the Complete  
3 College Georgia Grant Program; to provide for a short title; to provide for definitions; to  
4 provide for program grant eligibility and requirements; to provide for continuing eligibility;  
5 to provide for funding; to provide for administration of the program; to provide for rules and  
6 regulations; to provide for remedies; to provide for repayment agreements; to provide for  
7 regular examination; to provide for penalties; to provide for statutory construction; to provide  
8 for related matters; to provide for an effective date and applicability; to repeal conflicting  
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

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

15

"Subpart 1216 20-3-494.17 (a) This subpart shall be known and may be cited as the Complete College Georgia Grant  
18 Program.19 (b) As used in this subpart, the term:20 (1) 'Authority' means the Georgia Student Finance Authority created by Code Section  
21 20-3-313.22 (2) 'Cost of attendance' of a student means the cost of attendance calculated in  
23 accordance with Title IV.24 (3) 'Eligible postsecondary educational institution' means:25 (A) A unit of the University System of Georgia that offers associate or baccalaureate  
26 degrees;27 (B) A unit of the Technical College System of Georgia that offers associate or  
28 baccalaureate degrees; or29 (C) An institution of higher education located in this state that offers associate or  
30 baccalaureate degrees; that is accredited by a regional accrediting agency recognized  
31 by the United States Department of Education; that is not a Bible school or college; that  
32 admits as regular students only persons who have a high school diploma, a general  
33 educational development diploma, or a degree from an accredited postsecondary  
34 institution; and whose students are eligible to participate in the federal Pell Grant  
35 program.36 (4) 'Eligible student' has the same meaning as provided in Code Section 20-3-519.1.37 (5) 'Expected family contribution' means expected family contribution calculated in  
38 accordance with Title IV.39 (6) 'Program' means the Complete College Georgia Grant Program provided for in this  
40 subpart.

41 (7) 'Program grant' is the grant provided for by the Complete College Georgia Grant  
42 Program.

43 (8) 'Title IV' means Title IV of the federal Higher Education Act of 1965, as amended,  
44 20 U.S.C.A. Section 1070, et seq.

45 (9) 'Unmet financial need' means the student's cost of attendance minus the student's  
46 expected family contribution and the estimated amount of the student's loans, grants, and  
47 scholarships, including loans, grants, and scholarships under Title IV.

48 20-3-494.1.

49 (a) There is established the Complete College Georgia Grant Program.

50 (b) Subject to availability of funding, the program shall be authorized to provide program  
51 grants not to exceed \$2,500.00 per semester, or the proportionally equivalent amount per  
52 quarter, for each student who meets all the following requirements:

53 (1) Is eligible for a scholarship or grant under the provisions of Code Section 30-3-519.1;

54 (2) Is enrolled in an eligible postsecondary educational institution and has completed at  
55 least 89 semester credit hours, or the proportionally equivalent number of quarter credits  
56 hours;

57 (3) Maintains satisfactory academic progress in a course of study in accordance with the  
58 standards and practices used for federal Title IV programs by the eligible postsecondary  
59 educational institution in which the student is enrolled;

60 (4) Has not previously been awarded a baccalaureate degree, its equivalent, or a higher  
61 degree;

62 (5) Has completed and submitted a Free Application for Federal Student Aid (FAFSA)  
63 for each year in which the program grant is sought;

64 (6) Has completed and submitted applications for other available grants, scholarships,  
65 and tuition assistance;

66       (7) Is eligible for the federal Pell Grant program or has exhausted his or her Pell Grant  
67       lifetime eligibility; and

68       (8) Demonstrates unmet financial need.

69       (c) Funding for the program grants shall be subject to appropriations by the General  
70       Assembly, which shall comprise the total amount of funding for such program grants;  
71       provided, however, that the authority is authorized to utilize funds appropriated for the  
72       purposes of Subpart 4A of this part for the purposes of this subpart.

73       (d) Notwithstanding any provision of this part, the authority is authorized to promulgate  
74       rules and regulations restricting eligibility for the program grants or for reducing the dollar  
75       amount of the program grants in accordance with the provisions of Code Section 50-27-13.

76       (e) In addition to other remedies available at law and equity, the authority is authorized to  
77       enter into repayment agreements with individuals who owe refunds to the authority of any  
78       program grant. Except as prohibited by federal or other state laws, individuals who owe  
79       refunds and fail to enter into repayment agreements with the authority are, without judicial  
80       action, subject to garnishment of their pay, loss of a professional license, the offset of  
81       lottery winnings, and the offset of a state tax refund in accordance with rules and  
82       regulations promulgated by the commission not inconsistent with the provisions of this  
83       subpart. As used in this subsection, the term 'refund' shall mean grant amounts paid to or  
84       on behalf of students subsequently, in accordance with rules and regulations promulgated  
85       by the authority, determined to be ineligible to receive such funds.

86       (f) Any person who knowingly makes or furnishes any false statement or  
87       misrepresentation, or who accepts such statement or misrepresentation knowing it to be  
88       false, for the purpose of enabling an ineligible student to obtain wrongfully a program grant  
89       shall be guilty of a misdemeanor.

90 20-3-494.2.

91 (a)(1) The program shall be administered by the authority. The authority is authorized  
92 and directed to adopt appropriate rules, regulations, and policies to implement the  
93 program consistent with this provisions of this subpart.

94 (2) The authority shall maintain and publish annually a list of eligible postsecondary  
95 educational institutions and the amount of program grant funds allocated to each such  
96 institution for the fiscal year.

97 (3) Allocation amounts to each eligible postsecondary educational institution shall be  
98 determined by the authority based upon the percentage of federal Pell Grant recipients  
99 within the student body of each such institution, with eligible postsecondary educational  
100 institutions enrolling a higher percentage of federal Pell Grant recipients allocated a  
101 proportionately higher share of available program grant funds.

102 (4) The allocation for each eligible postsecondary educational institution shall be paid  
103 by the authority to such institution on an annual basis, and such institution shall be  
104 responsible for identifying eligible students and crediting such students' accounts with the  
105 amount of the program grant. In the event the annual allocation to an eligible  
106 postsecondary educational institution is not sufficient to cover the full amount of all  
107 program grant awards for eligible students enrolled at such institution, such institution  
108 shall allocate funds by prioritizing program grants to eligible students who have  
109 completed the highest number of credit hours and shall, from time to time, apply such  
110 other prioritization criteria as may be required or approved by the authority.

111 (5) Any excess funds remaining after eligible students' accounts are credited by eligible  
112 postsecondary educational institutions, as provided for by paragraph (4) of this  
113 subsection, shall be returned to the authority and reallocated for the purposes of this  
114 subpart.

115 (b)(1) Each eligible postsecondary educational institution participating in the program  
116 shall be subject to examination by the authority for the sole purpose of determining

117 whether such institution has complied with the program requirements as provided for in  
118 this subpart and the rules, regulations, and policies established by the authority. Such  
119 examination shall be conducted by the authority no less frequently than once every three  
120 years. The authority is authorized to conduct such examination using sampling and  
121 extrapolation techniques.

122 (2) If it is determined that a participating eligible postsecondary educational institution  
123 knowingly or through error certified an ineligible student to be eligible for a program  
124 grant, the amount of such program grant paid to such institution pursuant to such  
125 certification shall be refunded by such institution to the authority.

126 (3) Upon a recommendation by the authority, the Georgia Student Finance Commission  
127 may suspend a participating eligible postsecondary educational institution from receiving  
128 HOPE scholarship or HOPE grant award payments if such institution fails to refund any  
129 moneys deemed due to the authority pursuant to this subsection. The authority and the  
130 commission shall be authorized to promulgate rules and regulations necessary to carry  
131 out the intent of this subsection.

132 (4) Nothing in this subsection shall be construed to interfere with the authority of an  
133 eligible postsecondary educational institution to determine its own curriculum,  
134 philosophy, purpose, or administration."

## 135 SECTION 2.

136 This Act shall become effective upon its approval by the Governor or upon its becoming law  
137 without such approval for purposes of promulgating rules, regulations, and policies and shall  
138 become effective July 1, 2022, for all other purposes, and shall be applicable to the  
139 2022-2023 academic year and subsequent academic years.

## 140 SECTION 3.

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