

House Bill 729

By: Representatives Cheokas of the 138th and Jasperse of the 11th

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:

"Subpart 12

20-3-494.

(a) This subpart shall be known and may be cited as the Complete College Georgia Grant Program.

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

(1) 'Authority' means the Georgia Student Finance Authority created by Code Section 20-3-313.

(2) 'Cost of attendance' of a student means the cost of attendance calculated in accordance with Title IV.

(3) 'Eligible postsecondary educational institution' means:

(A) A unit of the University System of Georgia that offers associate or baccalaureate degrees;

(B) A unit of the Technical College System of Georgia that offers associate or baccalaureate degrees; or

(C) An institution of higher education located in this state that offers associate or baccalaureate degrees; that is accredited by a regional accrediting agency recognized by the United States Department of Education; that is not a Bible school or college; that admits as regular students only persons who have a high school diploma, a general educational development diploma, or a degree from an accredited postsecondary institution; and whose students are eligible to participate in the federal Pell Grant program.

(4) 'Eligible student' has the same meaning as provided in Code Section 20-3-519.1.

(5) 'Expected family contribution' means expected family contribution calculated in accordance with Title IV.

(6) 'Program' means the Complete College Georgia Grant Program provided for in this subpart.

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

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

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

20-3-494.1.

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

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

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

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

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

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

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

(6) Has completed and submitted applications for other available grants, scholarships, 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

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

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

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

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

SECTION 2.

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

SECTION 3.

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