

2023 Regular Session

SENATE BILL NO. 204

BY SENATORS HEWITT, CORTEZ AND ROBERT MILLS AND REPRESENTATIVE GAROFALO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

POSTSECONDARY ED. Provides relative to the M.J. Foster Promise Award program.  
(gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:3047(B)(1), (C)(1)(a), (D), and (E)(1), 3047.2(A)(9),

3 3047.4(B) and (D)(3), 3047.6(A) and (B), and 3047.7(A)(2) and (B)(2), and to enact

4 R.S. 17:3047.1(G), and to repeal R.S. 17:3047.2(A)(12) and 3047.3(A)(9), relative

5 to the M.J. Foster Promise Program; to provide relative to program awards; to

6 provide relative to eligibility requirements; to provide relative to administration of

7 the program; to provide relative to coordination with other state agencies; to recodify

8 and redesignate certain current law provisions of Title 17 of the Louisiana Revised

9 Statutes of 1950 without changing the text of the provisions except as provided

10 herein; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:3047(B)(1), (C)(1)(a), (D), and (E)(1), 3047.2(A)(9), 3047.4(B)

13 and (D)(3), 3047.6(A) and (B), and 3047.7(A)(2) and (B)(2) are hereby amended and

14 reenacted and R.S. 17:3047.1(G) is hereby enacted to read as follows:

15 §3047. M.J. Foster Promise Award; purpose; award amount; limitations

16 \* \* \*

17 B.(1) ~~Beginning with the 2022-2023 academic year, as~~ As funds allow, an

1 award shall be provided to apply toward the tuition, ~~and~~ required fees, and  
 2 mandatory books and instructional materials of each eligible student who enrolls  
 3 in a qualified program as defined pursuant to R.S. 17:3047.1. The award shall be  
 4 known as the "M.J. Foster Promise Award", referred to in this Chapter as the  
 5 "award".

\* \* \*

7 C.(1)(a) Award amounts shall not exceed three thousand two hundred dollars  
 8 per year for each award recipient enrolled full-time in a qualified program, ~~or an~~  
 9 ~~amount proportional to the hours in which the.~~ The administering agency shall  
 10 determine the reduced award amount for any award recipient ~~is enrolled if~~ who  
 11 is enrolled less than full-time.

\* \* \*

13 D. The award shall be applicable only to the cost of tuition ~~and~~, required fees,  
 14 and mandatory books and instructional materials.

15 E.(1)(a) A student who is eligible for the award pursuant to this Chapter, and  
 16 who also qualifies for any other federal, state, or institutional financial aid or award,  
 17 may use the initial award payment ~~only after~~ before all other financial aid and  
 18 awards are applied ~~and~~ but only for ~~any remaining~~ the balance due for tuition, ~~and~~  
 19 required fees, and mandatory books and instructional materials.

20 (b) After the initial payment, the student may use the award only after  
 21 any other federal, state, or institutional financial aid and awards are applied  
 22 and only for the balance due for tuition, required fees, and mandatory books  
 23 and instruction materials. For purposes of this Paragraph, federal financial aid  
 24 shall not include funding from student loans, work-study, or the Workforce  
 25 Innovation and Opportunity Act.

\* \* \*

27 §3047.1. Advisory council; membership; responsibilities

\* \* \*

29 ~~§3047.6(A)(3)~~ G. ~~The working group~~ advisory council shall: identify



\* \* \*

D. \* \* \*

(3) The administering agency shall adopt regulations and guidelines for the distribution and allocation of monies appropriated to the administering agency which shall be **initially** subject to approval by the Joint Legislative Committee on the Budget.

\* \* \*

§3047.6. Coordination with other agencies

~~A.(1) The office of student financial assistance shall establish a working group composed of an appointee from each of the following:~~

- ~~(a) The Louisiana Department of Children and Family Services.~~
- ~~(b) The Louisiana Department of Health.~~
- ~~(c) The state Department of Education.~~
- ~~(d) The Louisiana Workforce Commission.~~
- ~~(e) The Louisiana Department of Veterans Affairs.~~
- ~~(f) The Louisiana Association of Student Financial Aid Administrators.~~
- ~~(g) The office of student financial assistance.~~
- ~~(h) The Louisiana Department of Public Safety and Corrections.~~

~~(2) The working group shall meet at least annually upon the call of the executive director of the office of student financial assistance.~~

~~(3) and (4) [Redesignated to R.S. 17:3047.1(G)]~~

**Notwithstanding any other law to the contrary, the administering agency shall enter into a memorandum of understanding with the Department of Children and Family Services and the Department of Health to share information relative to an individual's qualification for certain aid or governmental benefits. Any information shared or furnished shall be held confidential by the administering agency and shall be reported in the aggregate only and contain no personally identifiable information.**

B. Notwithstanding R.S. 47:1508 or any other law to the contrary, the

1 administering agency shall enter into a memorandum of understanding with the  
2 Department of Revenue and the Louisiana Workforce Commission to share  
3 information relative to a taxpayer's reported income, **residency**, and employment  
4 information for purposes of generating data related to the success of award recipients  
5 in the workforce. Any information shared or furnished shall be held confidential by  
6 the administering agency; **and** shall be reported in the aggregate only; and ~~shall~~  
7 contain no personally identifiable information.

8 \* \* \*

9 §3047.7. Reporting system; implementation; requirements; applicability;  
10 participation by eligible institutions

11 A. \* \* \*

12 (2) The reporting system shall include data on all award recipients. **The**  
13 **number and percentage of students enrolled in each program shall be provided**  
14 **and shall stipulate whether each program is a credit hour program or non-**  
15 **credit hour program and include information on the number of credit hours**  
16 **required for each credit hour program, the length of each non-credit hour**  
17 **program, and the costs of each program.**

18 \* \* \*

19 B. The information reporting system shall include the following:

20 \* \* \*

21 (2)(a) Demographic information of award recipients, including age, race,  
22 gender, and household income.

23 **(b) The number and percentage of recipients who were determined to be**  
24 **participating in programs that do not qualify for federal student aid, as well as**  
25 **the number and percentage of those determined ineligible for federal student**  
26 **aid, and the number and percentage of those determined to be unable to**  
27 **complete federal student financial aid applications due to extenuating**  
28 **circumstances.**

29 \* \* \*

1 Section 2. R.S. 17:3047.2(A)(12) and 3047.3(A)(9) are hereby repealed.

2 Section 3. This Act shall become effective upon signature by the governor or, if not  
3 signed by the governor, upon expiration of the time for bills to become law without signature  
4 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
5 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
6 effective on the day following such approval.

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The original instrument was prepared by Cheryl Serrett. The following digest, which does not constitute a part of the legislative instrument, was prepared by LG Sullivan.

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DIGEST

SB 204 Engrossed

2023 Regular Session

Hewitt

Present law provides for the M.J. Foster Promise Award program which provides a financial award towards the costs of tuition and required fees to certain students who enroll in programs to pursue an associate degree or shorter-term postsecondary credential required for certain high-demand, high-wage occupations aligned to Louisiana's workforce priorities.

Proposed law allows the award to be used for mandatory books and instructional materials.

Present law provides a maximum annual award amount for students attending full-time. Further requires an award to students attending less than full-time to be an amount proportional to the hours the student is enrolled.

Proposed law allows the administering agency to set the reduced award amount that shall be awarded to students attending part-time.

Present law provides for award to be applied after all federal, state, and institutional aid is applied ("last dollar").

Proposed law provides that the initial award payment is to be applied before any federal, state, and institutional aid is applied but limits the award to tuition, fees, and mandatory books and instructional materials costs ("first dollar"). Retains requirement for "last dollar" application for subsequent award payments. Specifies that federal financial aid shall not include funding from student loans, work-study, or the Workforce Innovation and Opportunity Act.

Present law requires an eligible student to have applied for federal student aid or demonstrate ineligibility for federal aid.

Proposed law allows students enrolling in programs that do not qualify for federal student aid to not be required to apply for the aid. Further allows the administering agency to provide by rule alternative methods to establish need if an applicant is unable to complete an application for federal student aid due to extenuating circumstances as defined by the agency. Also, allows an eligible student to receive one award payment prior to completing the federal student aid application.

Present law requires for initial eligibility for a student to agree to annually perform at least twenty hours of community service or participate in a program-related apprenticeship, internship, or mentorship and to certify completion of the activity each year.

Proposed law removes the initial and continued eligibility requirement for community service or program related apprenticeship, internship, or mentorship.

Present law provides for an advisory council and a working group, both of which are comprised of many of the same members.

Proposed law removes the working group and places the responsibility of the working group into the responsibilities of the advisory council.

Present law provides relative to the funding of the program. Further provides if the available funding is not sufficient to fully fund all eligible award recipients that the monies be provided on a first come, first served basis, with priority given to previous award recipients who have met eligibility requirements and who are continuing in a qualified program for which they were previously enrolled.

Proposed law provides that if the available funding is not sufficient to fully fund all award recipients, awards will first be provided to previous award recipients who meet continuation eligibility requirements and who are continuing in a qualified program and then to other eligible students enrolled in a program as funds are available.

Present law requires the administering agency to adopt regulations and guidelines for the distribution and allocation of monies appropriated for the program and subject to approval by the Joint Legislative Committee on the Budget (JLCB).

Proposed law limits JLCB approval to initial regulations and guidelines.

Present law provides for coordination with other state agencies and requires memorandums of understanding (MOU) between the administering agency and the Department of Revenue, the Louisiana Workforce Commission, and the Department of Public Safety and Corrections.

Proposed law adds residency information to the MOU with the Department of Revenue. Further, requires an MOU between the administering agency and the Department of Children and Family Services and the Department of Health to help verify if the student is eligible for certain aid as a proxy to demonstrate income requirements.

Present law provides for a reporting system and provides for certain information to be reported, including demographic data of students.

Proposed law expands the data that shall be collected and reported on by the administering agency.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3047(B)(1), (C)(1)(a), (D), and (E)(1), 3047.2(A)(9), 3047.4(B) and (D)(3), 3047.6(A) and (B), and 3047.7(A)(2) and (B)(2); adds R.S. 17:3047.1(G); repeals R.S. 17:3047.2(A)(12) and 3047.3(A)(9))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Provide for the initial award payment to be applied before any other federal, state, or institutional aid.
2. Specify that federal financial aid shall not include funding from student loans, work-study, or the Workforce Innovation and Opportunity Act.