

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

785R0679

HOUSE ENGROSSED NO. **HB 1224** - 2/23/2010

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Sly, Gosch, and McLaughlin and Senator Maher

1 FOR AN ACT ENTITLED, An Act to revise the payment schedule for the South Dakota
2 opportunity scholarship program.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-55-31 be amended to read as follows:

5 13-55-31. In order to be eligible for a South Dakota opportunity scholarship award, a student
6 shall:

- 7 (1) Be a resident of South Dakota at the time of graduation from high school;
- 8 (2) Have a composite score of 24, or higher, on the test administered by the American
9 College Testing Program or an equivalent score as determined by the Board of
10 Regents on the Scholastic Assessment Test. The student shall take the ACT or SAT
11 test before beginning postsecondary education;
- 12 (3) Meet the high school course requirements for graduation from the distinguished high
13 school program as provided in section 24:43:11:05 of the Administrative Rules of
14 South Dakota as in effect on January 1, 2008;
- 15 (4) Attend a university, college, or technical school that is accredited by the North



1 Central Association of Colleges and Schools and that provides instruction from a
2 campus located in South Dakota; and

3 (5) Enter into the program within five years of graduation from high school or within one
4 year of the student's release from active duty with an active component of the armed
5 forces if the release is within five years of the student's graduation from high school.
6 If a student attends full-time a regionally accredited university, college, or technical
7 school located outside South Dakota and within two years following high school
8 graduation or within two years following release from active military service returns
9 to the state to attend full-time a regionally accredited university, college, or technical
10 school, the student is eligible to receive a partial award.

11 A student is eligible to participate in the South Dakota opportunity scholarship program for
12 the equivalent of four academic years (eight consecutive spring and fall terms) or until the
13 attainment of a baccalaureate degree, whichever comes first. However, the executive director
14 of the Board of Regents may grant exceptions to the continuous enrollment requirements for
15 good cause shown.

16 A student who would have been eligible for the scholarship, but who applies after
17 completing one or more semesters of full-time work at an accredited institution, may be
18 admitted to the program only if the student has complied with the same grade point and credit
19 hour requirements that would apply to program participants. Admission granted under these
20 circumstances may not be retroactive, and ~~eligibility for participation in the program shall be~~
21 ~~reduced by one semester for each semester of work completed prior to admission to the program~~
22 the total scholarship award granted to any student admitted under these circumstances may not
23 exceed four thousand dollars.

24 Section 2. That § 13-55-33 be amended to read as follows:

1 13-55-33. ~~One-half of the annual scholarship award shall be paid to public institutions on~~
2 ~~behalf of eligible students there enrolled or directly to eligible students enrolled at nonpublic~~
3 ~~institutions at the beginning of the fall semester and the other half shall be paid at the beginning~~
4 ~~of the spring semester. The amount of the annual award shall be as follows:~~

5 ~~— (1) — One thousand dollars for the first year of attendance;~~

6 ~~— (2) — One thousand dollars for the second year of attendance;~~

7 ~~— (3) — One thousand dollars for the third year of attendance;~~

8 ~~— (4) — Two thousand dollars for the fourth year of attendance unless the student attended~~
9 ~~full-time a regionally accredited university, college, or technical school located~~
10 ~~outside South Dakota prior to admission to the program, in which case the award~~
11 ~~shall be one thousand dollars. For any eligible student enrolled in a bachelor's degree~~

12 ~~program, the scholarship shall be awarded as follows:~~

13 ~~(1) One thousand dollars at the beginning of the second year of attendance;~~

14 ~~(2) One thousand dollars at the beginning of the third year of attendance;~~

15 ~~(3) Two thousand dollars at the beginning of the fourth year of attendance; and~~

16 ~~(4) One thousand dollars at the beginning of the spring semester of the fourth year of~~
17 ~~attendance.~~

18 ~~For any eligible student enrolled in an associate degree program, the scholarship shall be~~
19 ~~awarded as follows:~~

20 ~~(1) One thousand dollars at the beginning of the second year of attendance; and~~

21 ~~(2) One thousand dollars at the beginning of the second semester of the second year of~~
22 ~~attendance.~~

23 ~~For any eligible student enrolled in a one-year program at a technical institute, the~~
24 ~~scholarship award shall equal one thousand dollars awarded at the beginning of the second~~

1 semester of the first year of attendance.

2 However, no eligible student who completed one or more semesters of work at a college,
3 university, or technical school located outside of South Dakota before being admitted to the
4 scholarship program may receive the one thousand dollars awarded to other eligible students at
5 the beginning of the second year of attendance, and the payment awarded at the beginning of
6 the fourth year of attendance shall be reduced to one thousand dollars for any eligible student
7 who, in prior years, has already received a total of three thousand dollars through the scholarship
8 program.

9 If, in any year, the total funds available to finance the scholarship awards are insufficient to
10 permit each eligible recipient to receive the full amount provided in this section, the available
11 moneys shall be prorated and distributed to each recipient in proportion to the entitlement
12 contemplated by this section. The total amount of the scholarship may not exceed five thousand
13 dollars, and the awards shall be paid to institutions on behalf of eligible students there enrolled.