

SENATE BILL 1137

By Burks

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 4, Part 9, relative to postsecondary
financial assistance from net lottery proceeds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-4-911, is amended by deleting the section in its entirety and by substituting instead the following:

§ 49-4-911.

(a) To continue to receive a Tennessee HOPE scholarship, a student at an eligible postsecondary institution shall continue to meet all applicable nonacademic requirements for the scholarship and shall reapply for the scholarship upon attempting twenty-four (24), forty-eight (48), seventy-two (72), ninety-six (96) or any subsequent multiple of twenty-four (24) semester hours. At the end of any semester in which eligibility is reviewed, the student shall have achieved a cumulative grade point average of at least 2.75 to continue to receive the Tennessee HOPE scholarship.

(b) A student receiving a Tennessee HOPE scholarship who ceases to be academically eligible for the scholarship, because the student fails to meet the requirements of subsection (a) at the end of a semester at which continuing eligibility is reviewed, may regain the HOPE scholarship, if the student continues to meet all applicable nonacademic requirements for the scholarship, attends an eligible postsecondary institution without the HOPE scholarship and meets the requirements of subsection (a) at the end of a subsequent semester when continuing eligibility is reviewed. A student who regains the scholarship and then loses the scholarship a second time by failing to meet the requirements of subsection (a) at the end of a

subsequent semester in which academic qualifications are reviewed, may not regain the scholarship. No retroactive award of a Tennessee HOPE scholarship shall be made under this subsection (b) for semester hours attempted in order to regain the scholarship.

(c) If a student ceases to be eligible for a Tennessee HOPE scholarship at any time for any nonacademic reason, then the student shall not be able to regain the Tennessee HOPE scholarship.

(d) Notwithstanding the provisions of subsection (a) and § 49-4-902 to the contrary, for the purposes of determining whether the student meets the continuation requirements of subsection (a), a student may choose to repeat one (1) course one (1) time, and have such student's cumulative grade point average calculated as if the only attempt at the course was the attempt in which the higher grade was achieved. Only one (1) course may be repeated for favorable treatment in calculating a cumulative grade point average under this subsection (d). TSAC shall promulgate rules and regulations to effectuate the purposes of this subsection (d). The rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Section 49-4-916(e), is amended by deleting the language "49-4-911(c)" in the first sentence of the subsection and by substituting instead the language "49-4-911(b)".

SECTION 3. Tennessee Code Annotated, Section 49-4-920(e)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(e)

(2) If a student receiving a Tennessee HOPE access grant does not achieve the cumulative grade point average required under § 49-4-911(a) at the

end of the semester in which the student has attempted twenty-four (24) semester hours, but the student, without financial assistance from lottery proceeds, continues to attend an eligible postsecondary institution and meets the requirements of § 49-4-911(a) at the end of any subsequent semester at which continuing eligibility is reviewed, then the student shall be eligible for a Tennessee HOPE scholarship, if the student meets all other applicable requirements. If, at that time, the student meets the requirements of § 49-4-915(a)(2), the student shall be eligible for an ASPIRE award.

SECTION 4. Tennessee Code Annotated, Section 49-4-929(c), is amended by deleting the subsection in its entirety and by substituting instead the following:

(c) If the student transfers to an eligible postsecondary institution, then the student shall be eligible academically for a Tennessee HOPE scholarship, if the student meets the requirements of § 49-4-911.

SECTION 5. Tennessee Code Annotated, Section 49-4-931(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) A nontraditional student shall be eligible for the award of a Tennessee HOPE scholarship at the end of the semester in which the student has attempted a total of twelve (12) semester hours, if the student has a cumulative grade point average of at least 2.75. A nontraditional student who does not achieve a cumulative grade point average of at least 2.75 at the end of the semester in which the student has attempted a total of twelve (12) semester hours shall be eligible for a Tennessee HOPE scholarship, if the student meets the requirements of § 49-4-911(a) at the end of any semester in which continuing eligibility for a Tennessee HOPE scholarship is reviewed under § 49-4-911.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to students seeking postsecondary financial assistance from net lottery proceeds for the 2009-2010 academic years and academic years thereafter.