

SENATE BILL NO. 470 (Substitute of Senate Bill No. 89 by Senator Morrish)

BY SENATORS MORRISH AND WALSWORTH AND REPRESENTATIVE PRICE

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AN ACT

To amend and reenact R.S. 17:5065(D), relative to the Taylor Opportunity Program for Students; to provide relative to reducing award amounts in the event of insufficient funding; to authorize public postsecondary institutions to bill students for certain tuition amounts; to provide for tuition waivers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:5065(D) is hereby amended and reenacted to read as follows:

§5065. Funding

\* \* \*

~~D.(1) In the event the legislature appropriates insufficient money to fund all awards made to students qualifying under the provisions of this Chapter, the number of students to whom awards shall be made shall be reduced as necessary pursuant to a procedure set out by rule adopted by the administering agency. The procedure shall provide for such reduction to be based on the scores on the ACT and then on the ability of each student's family to pay the student's tuition as evidenced by the expected family contribution determined by using the standardized federal methodology for establishing student financial need. The procedure shall provide that reductions of awards made necessary by insufficient appropriations shall first eliminate the cohort of students who score lowest on the ACT. The procedures shall provide that within that cohort of students, those whose families are most able to pay the student's tuition shall be eliminated first. After insufficient appropriations require the elimination of all students in such cohort, the procedures shall require repeating the process with those students in the next highest score cohort.~~ **In the event the**

1 legislature appropriates insufficient money to fully fund all awards made to  
2 students qualifying under the provisions of this Chapter, the administering  
3 agency shall equitably reduce the amount of the program award for each  
4 qualifying student by an equal percentage on a pro rata basis, so that every  
5 student receives the award for which he qualifies and the total amount of all  
6 awards in any award year does not exceed the funds available to the agency for  
7 this purpose, either from legislative appropriation or other sources of funding.  
8 Such reduction shall also apply, in like manner, to any additional amount  
9 awarded to a student as provided in R.S. 17:5002(C).

10 (2) ~~Among students denied their awards as provided in this Subsection, those~~  
11 ~~students whose families have the least capacity to pay shall be the first to receive~~  
12 ~~their awards if monies become available. Any student for whom the expected family~~  
13 ~~contribution cannot be determined as provided for in Paragraph (1) of this Subsection~~  
14 ~~shall be denied his award until the legislature appropriates sufficient monies to fund~~  
15 ~~all awards made to students qualifying under the provisions of this Chapter. **If a**~~  
16 ~~**student's award amount is less than the tuition established for the public**~~  
17 ~~**postsecondary institution in which he is enrolled, the institution may bill the**~~  
18 ~~**student for the difference between the student's award amount and the tuition**~~  
19 ~~**established for the institution, unless the institution grants a tuition waiver to**~~  
20 ~~**the student.**~~

21 (3) **A student whose award is reduced pursuant to this Section shall not**  
22 **be required to accept payment of his award or to enroll or maintain continuous**  
23 **enrollment in an eligible college or university during the time period for which**  
24 **there is a funding shortfall and may defer acceptance of his award benefits. If**  
25 **a student opts to defer acceptance of his award payment pursuant to this**  
26 **Paragraph, all of the following shall apply:**

27 (a) **The student, upon enrollment or re-enrollment in an eligible college**  
28 **or university, shall be eligible to receive all applicable award benefits for any**  
29 **remaining semester or semesters, or the equivalent thereof, of his unused**  
30 **eligibility.**

1                   **(b) The student shall meet all academic and other eligibility**  
2                   **requirements provided by this Chapter and by rule of the administering agency,**  
3                   **except as otherwise provided in this Subsection.**

4                   **(c) The student shall exhaust all unused award eligibility within five**  
5                   **years of the initial reduction of his award pursuant to this Section, provided**  
6                   **that if the student requests and is granted an exception for cause to the**  
7                   **requirement to enroll or to maintain continuous enrollment in an eligible college**  
8                   **or university, the time period within which the student must exhaust his**  
9                   **eligibility for his award shall be extended by the amount of time for which he**  
10                  **was granted an exception.**

11                  Section 2. This Act shall not apply to students receiving awards pursuant to R.S.  
12                  17:5081.

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

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_