

2016 Regular Session

HOUSE BILL NO. 846

BY REPRESENTATIVE HILFERTY

STUDENT/LOANS-SCHOLARSHIP: Provides, under specified circumstances, for repayment of a Taylor Opportunity Program for Students (TOPS) award

1 AN ACT

2 To enact R.S. 17:5004 and 5004.1, relative to the Taylor Opportunity Program for Students;
3 to require repayment of program awards under certain circumstances; to require the
4 Louisiana Student Financial Assistance Commission to promulgate rules relative to
5 repayment; to require that these rules provide for means of collection and for
6 specified exceptions; to provide relative to applicability; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:5004 and 5004.1 are hereby enacted to read as follows:

10 §5004. Repayment; rules

11 A. A student shall repay award amounts paid to a postsecondary education
12 institution on his behalf if he fails to meet the requirements provided in R.S. 17:5041
13 and 5042 relative to maintaining eligibility or resigns from the institution.

14 B. Upon completion of a bachelor's or postgraduate degree, as applicable,
15 a person who has received Opportunity, Performance, or Honors award pursuant to
16 this Chapter shall do one of the following:

17 (1) Demonstrate proof of residency in Louisiana for at least one year for each
18 full academic year of award received by proof of the following as required by the
19 administering agency or by other proof required by the administering agency by rule:

20 (a) If registered to vote, he is registered in Louisiana.

1 (b) If licensed to drive a motor vehicle, he is in possession of a Louisiana
2 driver's license.

3 (c) If owning a motor vehicle located within Louisiana, he is in possession
4 of Louisiana registration for that vehicle.

5 (d) If earning an income, he has filed a Louisiana state income tax return and
6 has complied with state income tax laws and regulations.

7 (2) Repay a full academic year of award for each year he fails to comply
8 with Paragraph (1) of this Subsection.

9 C. The administering agency shall promulgate rules necessary to implement
10 the provisions of this Section. Such rules shall include the following:

11 (1) Provision for all available means of collecting amounts owed and interest
12 on unpaid amounts.

13 (2) Provision for circumstances under which a student shall be excepted from
14 the repayment requirements in Subsection A of this Section. Such rules shall provide
15 for the definition, certification requirements, and maximum duration of such
16 circumstances, which shall be limited to the following:

17 (a) Parental leave.

18 (b) Physical rehabilitation program.

19 (c) Substance abuse rehabilitation program.

20 (d) Temporary disability.

21 (e) Permanent disability.

22 (f) Exceptional educational opportunity.

23 (g) Religious commitment.

24 (h) Death in immediate family.

25 (i) Military service.

26 (j) Transfer to a selective enrollment program.

27 (k) Exceptional circumstances.

28 §5004.1. Repayment; exceptions

- 1 The provisions of R.S. 17:5004 shall not apply to a person who graduates
2 from high school prior to the 2016-2017 school year.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 846 Original

2016 Regular Session

Hilferty

Abstract: Requires the repayment of Taylor Opportunity Program for Students award amounts under certain circumstances; applicable to persons graduating from high school during or after the 2016-17 school year.

Present law provides for the Taylor Opportunity Program for Students (TOPS), a program of merit scholarships for students attending certain postsecondary education institutions who meet specific academic criteria and other requirements for initial eligibility. Also provides specific academic and other requirements once enrolled in college in order to maintain eligibility.

Proposed law, applicable to students graduating from high school during or after the 2016-17 school year:

- (1) Requires a student to repay award amounts paid to a postsecondary education institution on his behalf if he fails to meet the requirements for maintaining eligibility or resigns from the institution.
- (2) Requires award recipients, upon receipt of a bachelor's degree or postgraduate degree, as applicable, to do one of the following:
 - (a) Demonstrate proof of residency in La. for at least one year for each full academic year of award received by proof of the following as required by the administering agency or by other proof required by the administering agency by rule: if registered to vote, he is registered in La.; if licensed to drive a motor vehicle, he is in possession of a La. driver's license; owning a motor vehicle located within La., he is in possession of La. registration for that vehicle; or if earning an income, he has filed a La. state income tax return and has complied with state income tax laws and regulations.
 - (b) Repay a full academic year of award for each year he fails to prove residency in La.

Proposed law requires the administering agency (the La. Student Financial Assistance Commission) to promulgate rules necessary to implement proposed law, including provisions for the following:

- (1) Collecting amounts owed and interest on unpaid amounts.
- (2) Circumstances under which a student shall be excepted from the proposed law repayment requirements; requires that these rules provide for the definition, certification requirements, and maximum duration of these circumstances, which shall be limited to the following exceptions:
 - (a) Parental leave
 - (b) Physical rehabilitation program

- (c) Substance abuse rehabilitation program
- (d) Temporary disability
- (e) Permanent disability
- (f) Exceptional educational opportunity
- (g) Religious commitment
- (h) Death of immediate family
- (i) Military service
- (j) Transfer to a selective enrollment program
- (k) Exceptional circumstances

(Adds R.S. 17:5004 and 5004.1)