
DIGEST

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Greene

HB No. 299

Abstract: Relative to granting of free tuition by Tulane University to students nominated by legislators, provides for a form for applicants to provide certain information, for waivers of confidentiality, for such forms and legislators' nominations to be public records, and for the custodian of such records.

Present constitution (Const. Art. VIII, §14) provides that The Tulane University of La. in New Orleans is recognized as created and to be developed in accordance with Act No. 43 approved July 5, 1884.

Present law (Acts 1884, No. 43 as amended) provides for the administrators of Tulane University (referred to as the board) to give free tuition to students nominated by legislators. This is in consideration of the vesting of the administration of the then University of La. in the Tulane board, of the transfer of the rights, powers, privileges, franchises, and immunities of that university to the Tulane board, and of the exemption of the university from certain taxation as provided in the Act, as well as the board's waiver of all legal claim upon the state for any appropriation in favor of the University of La. Provides that each member of the legislature shall have the right to nominate one student from among the citizens of the state. Provides that each nominee shall comply with the requirements for admission established by the board.

Proposed law (R.S. 17:1891) requires the Administrators of the Tulane Educational Fund, as part of the application process for a scholarship, to require each applicant to complete and submit to the university a form that will provide the following information:

- (1) Each applicant's name, and municipality (if any) and parish of residence.
- (2) The La. House of Representatives and Senate districts in which the applicant resides, including district numbers and legislators' names.
- (3) Whether or not the applicant is related to an elected official, and if the applicant is related to an elected official, the name of and the office held by each such elected official. Provides that a scholarship recipient is related to his child, brother, sister, parent, spouse, former spouse, aunt, uncle, nephew, niece, first cousin, mother-in-law, father-in-law, sister-in-law, and brother-in-law, whether such relationship is by blood or marriage. Provides that an "elected official" includes a person who holds an office of state or local government in La. that is filled by election pursuant to the La. Election Code and any person who fills a vacancy in such an office and shall also include a member of the U.S.

Senate or U.S. House of Representatives from La.

Proposed law requires that the form required by proposed law include a waiver to be signed by the applicant to waive his right of confidentiality under the Buckley Amendment or any other law to the information proposed law requires the applicant to provide.

Proposed law provides that forms submitted by scholarship applicants pursuant to proposed law and the nomination forms, and any accompanying letters or other material, submitted by legislators to nominate scholarship recipients shall be public records subject to the Public Records Law, including provisions for examination of records. Further provides that, notwithstanding any contrary law, the president of Tulane University shall be the custodian of these public records for purposes of the Public Records Law, and that no legislator shall be the custodian of any such record.

Proposed law prohibits making public any information in violation of any state or federal law, including the Federal Education Rights Privacy Act (FERPA).

Proposed law specifies that it is applicable to the awarding of scholarships by the Tulane University Legislative Scholarship Program for the 2015-2016 academic year and thereafter.

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

(Adds R.S. 17:1891) (Provides that the La. State Law Institute shall place R.S. 17:1891 in Chapter 6 of Title 17 of the La. R.S. of 1950.)