

Regular Session, 2014

HOUSE BILL NO. 1009

BY REPRESENTATIVE GREENE

STUDENT/LOANS-SCHOLARSHIP: Provides relative to Taylor Opportunity Program for Students award payments for first-time recipients qualifying on or after July 1, 2017

1 AN ACT

2 To amend and reenact R.S. 17:3048.1(A)(2), (3), (4)(introductory paragraph) and (d)(ii), and  
3 (5)(b), (E)(1), (H)(3)(c), and (K)(3)(a)(ii) and (iii), and to enact R.S. 17:3048.1(Y),  
4 relative to the Taylor Opportunity Program for Students; to provide relative to award  
5 amounts; to provide relative to payment of awards; to provide an effective date; and  
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3048.1(A)(2), (3), (4)(introductory paragraph) and (d)(ii), and  
9 (5)(b), (E)(1), (H)(3)(c), and (K)(3)(a)(ii) and (iii) are hereby amended and reenacted and  
10 R.S. 17:3048.1(Y) is hereby enacted to read as follows:

11 §3048.1. Program awards; eligibility; amounts; limitations; funding; administration

12 A.

13 \* \* \*

14 (2)(a) Any student who applies for an Opportunity Award in accordance with  
15 Subparagraph (A)(1)(b), who enrolled in any public college or university in the state  
16 to pursue an academic undergraduate degree or skill or occupational training,  
17 including a vocational or technical education certificate or diploma program or a  
18 nonacademic undergraduate degree, and who meets the qualifications enumerated  
19 in Subparagraphs (A)(1)(a), (e), and (f), shall be awarded by the state an amount

1           ~~determined by the administering agency to equal the tuition charged by the public~~  
2           ~~college or university attended in the state pursuant to Subsection Y of this Section.~~

3           (b) For any student who ~~meets such qualifications and~~ applies for an  
4           Opportunity Award in accordance with Subparagraph (A)(1)(b), who has enrolled  
5           at any regionally accredited independent college or university in the state which is  
6           a member of the Louisiana Association of Independent Colleges and Universities to  
7           pursue an academic undergraduate degree or skill or occupational training, including  
8           a vocational or technical education certificate or diploma program or a nonacademic  
9           undergraduate degree, the state shall award an amount to be determined ~~by the~~  
10          ~~administering agency to equal the weighted average of amounts paid under this~~  
11          ~~Section for students attending public colleges and universities that offer academic~~  
12          ~~undergraduate degrees at the baccalaureate level or an amount to be determined by~~  
13          ~~the administering agency to equal the weighted average of amounts paid under this~~  
14          ~~Section for students attending public colleges and universities who are enrolled in~~  
15          ~~the permitted skill or occupational training, as may be applicable pursuant to~~  
16          Subsection Y of this Section.

17          (3) Any student who applies for a Performance or an Honors Award in  
18          accordance with Subparagraph (A)(1)(c) or (d) and who meets the qualifications  
19          enumerated in Subparagraphs (A)(1)(a), (e), and (f) shall have payments made on  
20          their behalf as follows:

21          (a) For any student who qualifies to receive an Honors Award in accordance  
22          with Subparagraph (A)(1)(d) and who has enrolled at any public college or university  
23          in the state to pursue an academic undergraduate degree or to pursue skill or  
24          occupational training, including a vocational or technical education certificate or  
25          diploma program or a nonacademic undergraduate degree, the state shall award an  
26          amount ~~determined by the administering agency to equal the tuition charged by the~~  
27          ~~public college or university attended in the state, plus the sum of four hundred~~  
28          ~~dollars per semester or eight hundred dollars per academic year pursuant to~~  
29          Subsection Y of this Section.

1 (b) For any student who qualifies to receive an Honors Award in accordance  
2 with Subparagraph (A)(1)(d) and who has enrolled at any regionally accredited  
3 independent college or university in the state which is a member of the Louisiana  
4 Association of Independent Colleges and Universities to pursue an academic  
5 undergraduate degree or skill or occupational training, including a vocational or  
6 technical education certificate or diploma program or a nonacademic undergraduate  
7 degree, the state shall award an amount determined ~~by the administering agency to~~  
8 ~~equal the weighted average of the amounts awarded under this Section for students~~  
9 ~~attending public colleges and universities that offer academic undergraduate degrees~~  
10 ~~at the baccalaureate level or an amount to be determined by the administering agency~~  
11 ~~to equal the weighted average of amounts paid under this Section for students~~  
12 ~~attending public colleges and universities who are enrolled in the permitted skill or~~  
13 ~~occupational training, as may be applicable, plus the sum of four hundred dollars per~~  
14 ~~semester or eight hundred dollars per academic year pursuant to Subsection Y of this~~  
15 Section.

16 (c) For any student who qualifies to receive a Performance Award in  
17 accordance with Subparagraph (A)(1)(c) and who has enrolled at any public college  
18 or university in the state to pursue an academic undergraduate degree or to pursue  
19 skill or occupational training, including a vocational or technical education  
20 certificate or diploma program or a nonacademic undergraduate degree, the state  
21 shall award an amount ~~equal to the tuition charged by the public college or university~~  
22 ~~attended in the state, plus the sum of two hundred dollars per semester or four~~  
23 ~~hundred dollars per academic year~~ determined pursuant to Subsection Y of this  
24 Section.

25 (d) For any student who qualifies to receive a Performance Award in  
26 accordance with Subparagraph (A)(1)(c) and who has enrolled at any regionally  
27 accredited independent college or university in the state which is a member of the  
28 Louisiana Association of Independent Colleges and Universities to pursue an  
29 academic undergraduate degree or skill or occupational training, including a



1 (5)

2 \* \* \*

3 (b)(i) For any student who is the recipient of an Opportunity Award and who  
4 is eligible to use the award at an out-of-state nonpublic college or university pursuant  
5 to the provisions of Subparagraph (a) of this Paragraph, the award amount to pursue  
6 an academic undergraduate degree shall be an amount determined by the  
7 ~~administering agency to equal the weighted average of amounts paid under this~~  
8 ~~Section for students attending Louisiana public colleges and universities that offer~~  
9 ~~academic undergraduate degrees pursuant to Subsection Y of this Section.~~

10 (ii) For any student who is the recipient of a Performance Award and who  
11 is eligible to use the award at an out-of-state nonpublic college or university pursuant  
12 to the provisions of Subparagraph (a) of this Paragraph, the award amount to pursue  
13 an academic undergraduate degree shall be an amount determined by the  
14 ~~administering agency to equal the weighted average of amounts paid under this~~  
15 ~~Section for students attending Louisiana public colleges and universities that offer~~  
16 ~~academic undergraduate degrees plus the sum of two hundred dollars per semester~~  
17 ~~or four hundred dollars per academic year pursuant to Subsection Y of this Section.~~

18 (iii) For any student who is the recipient of an Honors Award and who is  
19 eligible to use the award at an out-of-state nonpublic college or university pursuant  
20 to the provisions of Subparagraph (a) of this Paragraph, the award amount to pursue  
21 an academic undergraduate degree shall be an amount determined by the  
22 ~~administering agency to equal the weighted average of amounts paid under this~~  
23 ~~Section for students attending Louisiana public colleges and universities that offer~~  
24 ~~academic undergraduate degrees plus the sum of four hundred dollars per semester~~  
25 ~~or eight hundred dollars per academic year pursuant to Subsection Y of this Section.~~

26 \* \* \*

27 E.(1) The legislature annually shall appropriate to the administering agency  
28 funds which, together with any other funds available, are sufficient to cover the costs  
29 required to be paid, both initial and continuing, for the coming academic year. All

1 such payments shall be made by the administering agency in accordance with the  
2 provisions of Subsection Y of this Section ~~directly to the institution to which such~~  
3 ~~payment is due after notice to the institution that the state shall pay, on behalf of the~~  
4 ~~qualifying student, the applicable amount stipulated in this Section and after notice~~  
5 ~~from the institution that the student has actually enrolled.~~

6 \* \* \*

7 H.

8 \* \* \*

9 (3)

10 \* \* \*

11 (c) The amount of the award benefits relative to tuition as provided for in  
12 Subparagraph (a) of this Paragraph shall ~~not exceed the amounts determined by the~~  
13 ~~administering agency to equal the tuition charged for the postgraduate study or for~~  
14 ~~undergraduate full-time enrollment charged by the highest cost public college~~  
15 ~~university in the state, whichever amount is less~~ be determined in accordance with  
16 the provisions of Subsection Y of this Section based on the award the student  
17 received for the academic period immediately prior to graduation.

18 \* \* \*

19 K.

20 \* \* \*

21 (3)(a)

22 \* \* \*

23 (ii) If the student delays the acceptance of his award and the student, parent,  
24 or court-ordered custodian claims a federal income tax credit for money expended  
25 on educational tuition for the postsecondary education of the student, the  
26 administering agency shall pay directly to the student an amount equal to the amount  
27 of the award that would have been paid to the eligible institution on behalf of the  
28 student ~~less the amount of the tax credit claimed plus as an incentive for claiming the~~

1 ~~credit and thus reducing the cost to the state of this program,~~ an amount equal to  
2 ~~twenty-five percent of the amount of the credit claimed, or the amount to be remitted~~  
3 ~~to the student or legal guardian pursuant to Subsection (Y) of this Section plus an~~  
4 ~~amount equal to twenty-five percent of the amount of the credit claimed, as~~  
5 ~~applicable.~~

6 (iii) If the student delays the acceptance of his award and the student, parent,  
7 or court-ordered custodian does not claim such a credit, then the amount of the award  
8 that would have been paid to the eligible institution on behalf of the student or the  
9 amount to be remitted to the student pursuant to Subsection (Y) of this Section, as  
10 applicable, shall be paid directly to the student.

11 \* \* \*

12 Y.(1) Awards granted pursuant to the provisions of this Section to persons  
13 who commence full-time studies at a covered postsecondary education institution as  
14 a first-time freshman on or before June 30, 2017, shall be calculated as follows:

15 (a) Opportunity Award. (i) A student qualifying for an award pursuant to  
16 Subparagraph (A)(2)(a) of this Section shall be awarded in accordance with  
17 Paragraph (3) of this Subsection by the state an amount determined by the  
18 administering agency to equal the tuition charged by the public college or university  
19 attended in the state.

20 (ii) A student qualifying for an award pursuant to Subparagraph (A)(2)(b)  
21 or Item (A)(5)(b)(i) of this Section shall be awarded in accordance with Paragraph  
22 (3) of this Subsection an amount determined by the administering agency to equal  
23 the weighted average of amounts paid under this Section for students attending  
24 public colleges and universities that offer academic undergraduate degrees at the  
25 baccalaureate level or an amount determined by the administering agency to equal  
26 the weighted average of amounts paid under this Section for students attending  
27 public colleges and universities who are enrolled in the permitted skill or  
28 occupational training, as may be applicable.

1           **(b) Performance Award. (i) A student qualifying for an award pursuant to**  
2           **Subparagraph (A)(3)(c) of this Section shall be awarded in accordance with**  
3           **Paragraph (3) of this Subsection an amount equal to the tuition charged by the public**  
4           **college or university attended in the state, plus the sum of two hundred dollars per**  
5           **semester or four hundred dollars per academic year.**

6           **(ii) A student qualifying for an award pursuant to Subparagraph (A)(3)(d)**  
7           **or Item (A)(5)(b)(ii) of this Section shall be awarded in accordance with Paragraph**  
8           **(3) of this Subsection an amount determined by the administering agency to equal**  
9           **the weighted average of the amounts awarded under this Section for students**  
10           **attending public colleges and universities that offer academic undergraduate degrees**  
11           **at the baccalaureate level or an amount determined by the administering agency to**  
12           **equal the weighted average of amounts paid under this Section for students attending**  
13           **public colleges and universities who are enrolled in the permitted skill or**  
14           **occupational training, as may be applicable, plus the sum of two hundred dollars per**  
15           **semester or four hundred dollars per academic year.**

16           **(c) Honors Award. (i) A student qualifying for an award pursuant to**  
17           **Subparagraph (A)(3)(a) of this Section shall be awarded an amount in accordance**  
18           **with Paragraph (3) of this Subsection equal to the tuition charged by the public**  
19           **college or university attended in the state.**

20           **(ii) A student qualifying for an award pursuant to Subparagraph (A)(3)(b)**  
21           **or Item (A)(5)(b)(iii) of this Section shall be awarded in accordance with Paragraph**  
22           **(3) of this Subsection an amount determined by the administering agency to equal**  
23           **the weighted average of the amounts awarded under this Section for students**  
24           **attending public colleges and universities that offer academic undergraduate degrees**  
25           **at the baccalaureate level or an amount determined by the administering agency to**  
26           **equal the weighted average of amounts paid under this Section for students attending**  
27           **public colleges and universities who are enrolled in the permitted skill or**  
28           **occupational training, as may be applicable.**



1           (2) Notwithstanding any provision of this Section to the contrary, awards  
2           granted pursuant to the provisions of this Section to persons who qualify for an  
3           award pursuant to the provisions of this Section the first time on and after July 1,  
4           2017, shall be calculated as follows:

5           (a) Opportunity Award. (i) For a student qualifying for an award pursuant  
6           to Subparagraph (A)(2)(a) of this Section, prior to commencement of the academic  
7           period the student or the student's legal guardian shall pay an amount equal to  
8           seventy-five percent of the net tuition due to the institution attended by the student  
9           after application of any scholarships or other financial assistance received by the  
10           student for the payment of tuition. In accordance with Paragraph (3) of this  
11           Subsection, the administering agency shall pay directly to the institution to which  
12           payment is due an amount equal to the remaining twenty-five percent of such tuition.  
13           Upon completion of the academic period, if the student has maintained the academic  
14           criteria necessary to maintain the Opportunity Award, the student or the student's  
15           legal guardian, as applicable, shall receive from the administering agency an amount  
16           equal to the portion of tuition paid by such individual at the commencement of the  
17           academic period.

18           (ii) For a student qualifying for an award pursuant to Subparagraph (A)(2)(b)  
19           or Item (A)(5)(b)(i) of this Section, upon successful completion of the academic  
20           period the student or the student's legal guardian, whichever paid the student's tuition  
21           for that academic period, shall receive from the administering agency an amount  
22           equal to seventy-five percent of the weighted average of amounts paid under this  
23           Section for students attending public colleges and universities that offer academic  
24           undergraduate degrees at the baccalaureate level or an amount to be determined by  
25           the administering agency to equal the weighted average of amounts paid under this  
26           Section for students attending public colleges and universities who are enrolled in  
27           the permitted skill or occupational training, as may be applicable.

28           (b) Performance Award. (i) For a student qualifying for an award pursuant  
29           to Subparagraph (A)(3)(c) of this Section, prior to commencement of the academic

1 period, the student or the student's legal guardian shall pay an amount equal to fifty  
2 percent of the net tuition due to the institution attended by the student after  
3 application of any scholarships or other financial assistance received by the student  
4 for the payment of tuition. In accordance with Paragraph (3) of this Subsection, the  
5 administering agency shall pay directly to the institution to which payment is due an  
6 amount equal to the other fifty percent of such tuition. Upon completion of the  
7 academic period, if the student has maintained the academic criteria necessary to  
8 maintain the Performance Award, the student or the student's legal guardian, as  
9 applicable, shall receive from the administering agency an amount equal to the  
10 portion of tuition paid by such individual at the commencement of the academic  
11 period.

12 (ii) For a student qualifying for an award pursuant to Subparagraph (A)(3)(d)  
13 or Item (A)(5)(b)(ii) of this Section, upon successful completion of the academic  
14 period the student or the student's legal guardian, whichever paid the student's tuition  
15 for that academic period, shall receive from the administering agency an amount  
16 equal to fifty percent of the weighted average of the amounts awarded under this  
17 Section for students attending public colleges and universities that offer academic  
18 undergraduate degrees at the baccalaureate level or an amount to be determined by  
19 the administering agency to equal the weighted average of amounts paid under this  
20 Section for students attending public colleges and universities who are enrolled in  
21 the permitted skill or occupational training, as may be applicable.

22 (c) Honors Award. (i) For a student qualifying for an award pursuant to  
23 Subparagraph (A)(3)(a) of this Section, in accordance with Paragraph (3) of this  
24 Subsection, the administering agency shall pay directly to the institution to which  
25 payment is due an amount equal to one hundred percent of tuition charged by the  
26 institution attended by the award recipient.

27 (ii) For a student qualifying for an award pursuant to Subparagraph (A)(3)(b)  
28 or Item (A)(5)(b)(iii) of this Section, prior to commencement of the academic period  
29 the administering agency shall transfer directly to the institution to which payment

1        is due an amount equal to one hundred percent of the weighted average of the  
 2        amounts awarded under this Section for students attending public colleges and  
 3        universities that offer academic undergraduate degrees at the baccalaureate level or  
 4        an amount to be determined by the administering agency to equal the weighted  
 5        average of amounts paid under this Section for students attending public colleges and  
 6        universities who are enrolled in the permitted skill or occupational training, as may  
 7        be applicable.

8                (3)(a) A payment by the administering agency to an institution pursuant to  
 9        the provisions of this Section shall be made directly to the institution to which such  
 10        payment is due after notice to the institution that the state shall pay, on behalf of the  
 11        qualifying student, the applicable amount stipulated in this Subsection and after  
 12        notice from the institution that he student has actually enrolled.

13                (b) A payment by the administering agency to a student or legal guardian of  
 14        a student, pursuant to the provisions of Paragraph (2) of this Subsection shall be  
 15        made within one month of receipt by the administering agency from the institution  
 16        that the student has successfully maintained the academic qualifications for his  
 17        award.

18        Section 2. This Act shall become effective on July 1, 2014; if vetoed by the governor  
 19 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 20 2014, or on the day following such approval by the legislature, whichever is later.

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)]

Greene

HB No. 1009

**Abstract:** For students qualifying for a Taylor Opportunity Program for Students (TOPS) award for the first time on and after July 1, 2017, establishes a new payment schedule and amount for such awards.

Present law establishes the TOPS program and provides for different scholarship awards within the program. Proposed law retains present law.

Present law provides for payment at the beginning of the academic period directly to the educational institution on behalf of the student in the following amounts for the following awards within TOPS:

- (1) Opportunity Award recipients enrolled in a public institution or vocational program receive full tuition. Opportunity Award recipients enrolled in an independent institution or vocational program receive an amount equal to the weighted average of amounts paid by TOPS for students attending public institutional or vocational schools, as applicable.
- (2) Performance Award recipients enrolled in a public institution or vocational program receive full tuition paid plus \$200 per semester or \$400 per academic year. Performance Award recipients enrolled in an independent institution or vocational program receive an amount equal to the weighted average of amounts paid by TOPS for students attending public institutional or vocational schools, as applicable, plus \$200 per semester or \$400 per academic year.
- (3) Honors Award recipients enrolled in a public institution or vocational program receive full tuition plus \$400 per semester or \$800 per academic year. Honors Award recipients enrolled in an independent institution or vocational program receive amount equal to the weighted average of amounts paid by TOPS for students attending public institutional or vocational schools, as applicable, plus \$400 per semester or \$800 per academic year.

Proposed law retains present law for students who qualify for such an award prior to July 1, 2017.

Proposed law provides that for students who qualify for a TOPS award for the first time on and after July 1, 2017, instead of full tuition being paid on the student's behalf in the beginning of the academic period, amounts shall be paid as follows:

- (1) Opportunity Award recipients enrolled in a public institution or vocational program would be required to pay to the institution at the start of the academic period 75% of tuition costs remaining after application of any scholarships and other financial assistance for the payment of tuition received by the student. The TOPS program would pay the remaining 25% on behalf of the student. After completion of the academic period, and determination that the student maintained the qualifications necessary to keep the award, the TOPS administrator would send to the student (or parent who paid the tuition) an amount equal to the 75% paid at the commencement of the academic period.
- (2) Upon completion of an academic period and determination that the student maintained the qualifications necessary to keep the award, Opportunity Award recipients enrolled in an independent institution or vocational program (or the parent who paid the tuition for such program) would receive from the TOPS administrator an amount equal to 75% of the weighted average of amounts paid by TOPS for students attending public institutional or vocational schools.
- (3) Performance Award recipients enrolled in a public institution or vocational program would be required to pay to the institution at the start of the academic period 50% of tuition costs remaining after application of any scholarships and other financial assistance for the payment of tuition received by the student. The TOPS program would pay the remaining 50% on behalf of the student. After completion of the academic period, and determination that the student maintained the qualifications necessary to keep the award, the TOPS administrator would send to the student (or parent who paid the tuition) an amount equal to the 50% paid at the commencement of the academic period.

- (4) Upon completion of an academic period and determination that the student maintained the qualifications necessary to keep the award, Performance Award recipients enrolled in an independent institution or vocational program (or the parent who paid the tuition for such program) would receive from the TOPS administrator an amount equal to 50% of the weighted average of amounts paid by TOPS for students attending public institutional or vocational schools.
- (5) For Honors Award recipients enrolled in a public institution or vocational program, the TOPS program would pay 100% of tuition on behalf of the student.
- (6) For Honors Award recipients enrolled in an independent institution or vocational program, the TOPS program would pay 100% of the weighted average of amounts paid by TOPS for students attending public institutional or vocational schools, as applicable, on behalf of the student.

Proposed law applies to all Opportunity, Performance, and Honors Award recipients qualifying for the first time for such an award on or after July 1, 2017. Proposed law further removes for such students the extra payments in addition to full tuition to recipients of Performance and Honors awards provided for in present law.

Present law provides for payment by the administering agency directly to the institution to which payment is due after notice to the institution that the state shall pay, on behalf of the qualifying student, the applicable amount and after notice from the institution that the student has actually enrolled. Proposed law retains present law.

Present law authorizes a student to defer receipt of a TOPS award until after the student or legal guardian files a federal income tax return. Proposed law retains present law.

Present law provides that if the student delays receipt of the TOPS award and the student or legal guardian claims a federal income tax credit for money expended on educational tuition for the student, the administering agency shall pay directly to the student the amount of the award that would have been paid to the educational institution, plus an amount equal to 25% of the tax credit claimed. Proposed law retains present law and further provides that for students first enrolled on or after July 1, 2017, the administering agency shall pay directly to the student or legal guardian the amount paid by such individual pursuant to proposed law plus an amount equal to 25% of the tax credit claimed.

Present law provides that if a tax credit is not claimed by the student or legal guardian, then the amount of the award that would have been paid to the eligible institution by TOPS on behalf of the student shall be paid directly to the student. Proposed law retains present law and further provides that for students first enrolled on or after July 1, 2017, the administering agency shall pay directly to the student or legal guardian the amount paid by such individual pursuant to proposed law.

Present law authorizes the administering agency to provide by rule adopted pursuant to the Administrative Procedures Act for implementation of provisions of the TOPS program. Proposed law retains present law.

Effective July 1, 2014.

(Amends R.S. 17:3048.1(A)(2), (3), (4)(introductory paragraph) and (d)(ii), and (5)(b), (E)(1), (H)(3)(c), and (K)(3)(a)(ii) and (iii); Adds R.S. 17:3048.1(Y))