

Senate Bill 19

By: Senators Rhett of the 33rd, Albers of the 56th, Kirkpatrick of the 32nd and Harbison of the 15th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to the Georgia Student Finance Authority, so as to establish the Public
3 Safety Officer Higher Education Fund; to provide for legislative findings and purpose; to
4 provide for definitions; to provide for rules and regulations; to provide for authorization; to
5 provide for requirements and conditions; to provide for penalty; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
10 relating to the Georgia Student Finance Authority, is amended by adding a new subpart to
11 read as follows:

12 "Subpart 7A

13 20-3-460.

14 The General Assembly finds that certain citizens provide for the public safety of this state
15 and protect persons and properties within the state and that such citizens provide an
16 extraordinarily valuable and vital public service to the state and to citizens and properties
17 within the state. The purpose of the General Assembly, as provided for in this subpart, is
18 to enable the authority to provide educational grant assistance to such citizens, with such
19 education serving to enhance the professionalization of the provision of public safety and
20 to aid in the retention of such citizens in public service to this state.

21 20-3-461.

22 As used in this subpart, the term:

23 (1) 'Approved school' means a school which is a unit of the University System of
 24 Georgia.

25 (2) 'Eligible student' means a person who:

26 (A) Is enrolled as a full-time or part-time student in an approved school for the purpose
 27 of pursuing a first baccalaureate degree;

28 (B) Meets eligibility requirements to be classified as a legal resident of Georgia as
 29 established pursuant to regulations of the authority and who remains a citizen of the
 30 state while receiving funds under this subpart; and

31 (C) Has been employed as a public safety officer for a period of at least 36 months
 32 immediately prior to his or her enrollment at an approved school.

33 (3) 'Emergency medical technician' shall have the same meaning as provided for in Code
 34 Section 31-11-2.

35 (4) 'Firefighter' shall have the same meaning as provided for in Code Section 25-4-2.

36 (5) 'Grade point average' means the numbered grade average calculated using a 4.0 scale.

37 (6) 'Public safety officer' means a person who is:

38 (A) Certified by the Georgia Peace Officer Standards and Training Council as having
 39 successfully completed the course of training required by Chapter 8 of Title 35, the
 40 'Georgia Peace Officer Standards and Training Act,' who has the power of arrest, and
 41 who is responsible for enforcing the criminal laws of this state or its political
 42 subdivisions in his or her employment as a:

43 (i) Sheriff or deputy sheriff;

44 (ii) Member or officer of the Department of Public Safety; or

45 (iii) Police officer, policeman, or peace officer with any state, county, municipal, or
 46 college or university law enforcement agency of this state;

47 (B) A firefighter; or

48 (C) An emergency medical technician.

49 (7) 'Tuition' means the charges to an eligible student for postsecondary academic
 50 instruction without regard to other fees such as technology, activity, athletic, health, or
 51 other similar fees.

52 20-3-462.

53 The authority is authorized to establish and administer a grant program for the payment of
 54 tuition for eligible students. The authority is authorized to prescribe all rules, regulations,
 55 policies, and procedures necessary or convenient for the administration of such grant
 56 program and all terms and conditions applicable to payments made under this subpart.

57 20-3-463.

58 (a) There is created the Public Safety Officer Higher Education Fund.

59 (b) The authority shall maintain the fund to which shall be credited:

60 (1) State funds appropriated for use by the authority for the payment of tuition for
61 eligible students; and

62 (2) Unrestricted moneys received by gift or otherwise and other moneys available for and
63 determined by the authority to be used for the purposes of this subpart.

64 (c)(1) The authority is authorized to use moneys available in the fund to make payments
65 for tuition in accordance with this subpart and its rules and regulations.

66 (2) After receiving a grant under this subpart for a first semester or a first quarter, an
67 eligible student shall maintain a grade point average of at least 2.00 for subsequent grants
68 under this subpart.

69 (3) No eligible student shall receive a grant under this subpart after completing 120
70 semester hours or 180 quarter hours toward a first baccalaureate degree.

71 (d) Any eligible student may apply to the authority for a grant. Such grant shall be for
72 tuition for one academic semester or quarter. Such application shall be submitted in
73 writing on forms prescribed by the authority for such purpose. The applicant shall furnish
74 such information as may be required by the authority for determination of eligibility for the
75 grant. The authority shall approve grant renewals only upon receipt of the recipient's
76 application therefor and upon a finding that such recipient has successfully completed the
77 work of the preceding academic semester or quarter and presents evidence that he or she
78 is a student in good standing, that he or she remains a citizen of this state, and that he or she
79 remains otherwise qualified to receive such grant under this subpart.

80 (e) The authority is authorized to limit the number of grants available or the grant award
81 amounts available to be paid to eligible students under this subpart depending upon moneys
82 available in the fund. The authority is authorized to establish standards and procedures for
83 determining grant award amounts based upon moneys available in the fund.

84 20-3-464.

85 The authority is authorized to establish a subsidiary corporation to administer the Public
86 Safety Officer Higher Education Fund. Any subsidiary corporation created pursuant to this
87 subsection shall be created pursuant to Chapter 3 of Title 14, the 'Georgia Nonprofit
88 Corporation Code,' and the Secretary of State shall be authorized to accept any such filing.
89 Upon the dissolution of any subsidiary corporation of the authority created pursuant to this
90 subsection, any assets shall revert to the authority or to any successor to the authority or,
91 failing such succession, to the State of Georgia. The authority shall not be liable for the

92 debts or obligations or bonds of any subsidiary corporation or for the actions or omissions
93 to act of any subsidiary corporation unless the authority expressly so consents.

94 20-3-465.

95 (a) As a condition of receipt of a grant under this subpart, the eligible student shall enter
96 into a contract with the authority providing that such eligible student shall maintain
97 full-time employment as a public safety officer for a period of six months for each grant
98 payment received under this subpart. Fulfillment of such condition shall begin upon such
99 eligible student giving notice to the authority that he or she will no longer make application
100 for grants under this subpart or upon completion of eight academic semesters or quarters
101 toward a first baccalaureate degree under this subpart; provided, however, that if such
102 eligible student does not receive a grant under this subpart for two successive academic
103 semesters or quarters based upon the academic calendar at the last approved school for
104 which he or she was enrolled and does not provide the authority with notice under this
105 subsection, then fulfillment of such condition shall begin upon the conclusion of such
106 successive academic semesters or quarters for which the eligible student does not receive
107 a grant under this subpart and is not enrolled at any approved school.

108 (b) In the event any person breaches the conditions of the contract with the authority
109 provided for under subsection (a) of this Code section, all moneys distributed by the
110 authority under contracts provided for under this Code section shall at once become due
111 and payable to the authority in cash with interest at a rate to be set by the authority.

112 (c) The authority may release any person from the obligation provided for under this Code
113 section if it is demonstrated to the satisfaction of the authority that such person is unable
114 to maintain the required employment due to a disability or any other factor outside of the
115 control of such person.

116 **SECTION 2.**

117 All laws and parts of laws in conflict with this Act are repealed.