

Regular Session, 2014

SENATE BILL NO. 1

BY SENATOR CLAITOR

COLLEGES/UNIVERSITIES. Enacts the "Legislative Scholarship Fairness Act" (gov sig)

1 AN ACT

2 To amend and reenact Chapter 6 of Title 17 of the Louisiana Revised Statutes of 1950 and

3 to enact R.S. 17:1891, relative to Tulane University; to provide relative to the Tulane

4 Legislative Scholarship Program established pursuant to Act No. 43 of the 1884

5 Regular Session of the Legislature of Louisiana, as amended; to enact the

6 "Legislative Scholarship Fairness Act"; to provide certain terms, procedures,

7 conditions, and requirements; to provide relative to eligibility criteria and other

8 program requirements; to provide for exclusions from eligibility; to provide relative

9 to the scholarship selection and award process; to provide for a selection preference

10 for surviving children of certain deceased military, law enforcement, and other

11 public personnel; to prohibit receipt of campaign contributions from scholarship

12 recipients and their relatives; to provide relative to public notice and disclosure of

13 certain program information; to provide for effectiveness; and to provide for related

14 matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. Chapter 6 of Title 17 of the Louisiana Revised Statutes of 1950 is hereby  
17 amended and reenacted and R.S. 17:1891 is hereby enacted to read as follows:

## 1 CHAPTER 6. TULANE UNIVERSITY

2 §1891. Tulane Legislative Scholarships; Legislative Scholarship Fairness Act3 A. This Section shall be known and may be cited as the "Legislative  
4 Scholarship Fairness Act".5 B.(1) Pursuant to Act No. 43 of the 1884 Regular Session of the  
6 Legislature of Louisiana, as amended, each state legislator has the right as  
7 provided in this Section to appoint one student from among the citizens of the  
8 state to receive free tuition from Tulane University, provided the student meets  
9 the admission requirements established by the university.10 (2) Effective for the 2015-2016 academic year and thereafter, all free  
11 tuition granted by Tulane University through the Tulane University Legislative  
12 Scholarship Program established pursuant to Act No. 43 of the 1884 Regular  
13 Session of the Legislature of Louisiana, as amended, shall be awarded as  
14 provided in this Section.15 C.(1) Each scholarship awarded through the Tulane University  
16 Legislative Scholarship Program shall provide one year of full undergraduate  
17 tuition for Louisiana residents who meet the eligibility criteria and other  
18 program requirements established by Tulane University and as otherwise  
19 provided in this Section.20 (2) Nominations for a scholarship for a period of less than one year may  
21 be made if the student will be graduating before the end of the academic year.22 D.(1) No legislator shall nominate his own relative for a Tulane  
23 Legislative Scholarship.24 (2) No elected official in Louisiana shall be eligible to receive a Tulane  
25 Legislative Scholarship.26 (3) No person who is related to any Louisiana elected official shall be  
27 eligible to receive a Tulane Legislative Scholarship.28 E.(1) A legislator may nominate a student for a Tulane Legislative  
29 Scholarship directly or request Tulane University to award the scholarship on

1 his behalf through an open competition, all in accordance with the eligibility  
2 criteria established by the university and as provided in this Section.

3 (2) When awarding any Tulane Legislative Scholarship, preference shall  
4 be given to surviving children of members of any branch of the United States  
5 armed forces, employees of the United States Department of State, and law  
6 enforcement officers and other public personnel as provided in R.S. 33:2201(B)  
7 who were killed while on active duty or otherwise performing the prescribed  
8 duties of their office or position.

9 F. A student who receives a Tulane Legislative Scholarship for two or  
10 more academic years shall be required to perform twice the number of public  
11 service hours specified in the university's public service graduation  
12 requirement.

13 G. Each member of the legislature shall publish information regarding  
14 the existence of the Tulane Legislative Scholarship Program on his official  
15 legislative website, which shall include, at a minimum, information regarding  
16 scholarship eligibility criteria and a link to the Tulane University website where  
17 potential recipients can obtain an application form and detailed information on  
18 scholarship eligibility criteria, guidelines, deadlines, and other program  
19 requirements.

20 H. No legislator may receive or accept a campaign contribution from a  
21 scholarship recipient or a relative of a recipient of a Tulane Legislative  
22 Scholarship.

23 I.(1) Tulane University shall publish annually the following information  
24 relative to the Tulane Legislative Scholarship Program:

25 (a) The name and city of residence of each scholarship recipient.

26 (b) The name and district number of each scholarship recipient's  
27 nominating legislator.

28 (c) If the scholarship recipient is related to an elected official, the name  
29 of the elected official to whom the recipient is related.

1                   **(2) No information shall be published pursuant to this Section in**  
 2                   **violation of any state or federal law, including the Federal Education Rights**  
 3                   **Privacy Act.**

4                   **J. For purposes of this Section, "relative" and "related" shall mean a**  
 5                   **scholarship recipient's child, brother, sister, parent, spouse, former spouse,**  
 6                   **aunt, uncle, nephew, niece, first cousin, mother-in-law, father-in-law, sister-in-**  
 7                   **law, and brother-in-law, whether such relationship is by blood or marriage.**

8                   Section 2. This Act shall become effective upon signature by the governor or, if not  
 9                   signed by the governor, upon expiration of the time for bills to become law without signature  
 10                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 11                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 12                  effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Jeanne C. Johnston.

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#### DIGEST

Claitor (SB 1)

Present law (Act No. 43 of 1884 RS) provides for an agreement between the administrators of the Tulane Education Fund and the state. Provides that, in consideration of the vesting of the administration of the University of Louisiana in the administrators, of the transfer of the rights, powers, privileges, franchises, and immunities of the university to the administrators, and of the exemption from all taxation, the administrators will develop, foster, and maintain the University of La., to be known as the "Tulane University of Louisiana", and use their powers to create and maintain in New Orleans a great university. Also provides that the administrators waive all legal claim upon the state for any appropriation in favor of the university.

Proposed law retains these provisions.

Present law (§6 of Act No. 43 of 1884 RS, as amended) further provides that the administrators agree to give continuously, in the academic department, free tuition to students nominated by members of the legislature. Provides that each legislator has the right to nominate one student from among the state's citizens and that each nominee shall comply with the admission requirements established by the administrators. Further provides that the free tuition shall continue for a period not to exceed the time remaining in the term of the nominating legislator from the time such appointment begins, unless his scholarship has ceased from other causes. Provides that the same student may be appointed in successive years and that when a scholarship becomes vacant, from any cause, the legislator who appointed the previous student, or his successor, shall, in the manner prescribed by these provisions, immediately name a successor.

Proposed law retains these provisions.

Proposed law (R.S. 17:1891) provides that, effective for the 2015-2016 academic year and

thereafter, all free tuition granted by Tulane University through the Tulane Legislative Scholarship Program established pursuant to Act No. 43 of 1884 RS, as amended, shall be awarded as follows:

- (1) Provides that proposed law shall be known and may be cited as the "Legislative Scholarship Fairness Act".
- (2) Each Tulane Legislative Scholarship shall provide one year of full undergraduate tuition for La. residents who meet the eligibility criteria requirements established by Tulane University and the provisions of proposed law.
- (3) Nominations for a scholarship period of less than one year, may be made if the student will be graduating before the end of the academic year.
- (4) No legislator can nominate his relative for a Tulane Legislative Scholarship.
- (5) No La. elected official is eligible to receive a Tulane Legislative Scholarship.
- (6) No person who is a relative of a La. elected official is eligible to receive a Tulane Legislative Scholarship.
- (7) A legislator may nominate a student for a Tulane Legislative Scholarship directly or request Tulane to award the scholarship on his behalf through an open competition.
- (8) Provides a selection preference for surviving children of members of the United States armed forces, employees of the U.S. Dept. of State, and law enforcement officers and other public personnel (as delineated in R.S. 33:2201(B)) killed while on active duty or otherwise performing the prescribed duties of their office or position.
- (9) Requires a student who receives a Tulane Legislative Scholarship for two or more academic years to perform twice the number of public service hours specified in the university's public service graduation requirement.
- (10) Requires each legislator to publish information regarding the existence of the Tulane Legislative Scholarship Program on his legislative website and include a link to the Tulane website where potential recipients can obtain an application form and detailed information on scholarship eligibility criteria, guidelines, deadlines, and other program requirements.
- (11) Prohibits legislators from receiving or accepting campaign contributions from a recipient or a relative of a Tulane Legislative Scholarship recipient.
- (12) Requires Tulane University to publish annually Tulane Legislative Scholarship Program information including: (1) the name and city of residence of each scholarship recipient, (2) the name and district number of the nominating legislator, and, (3) if related to an elected official, the name of the elected official to whom the recipient is related.  
  
Prohibits publication of Tulane Legislative Scholarship information in violation of state or federal law, including the Federal Education Rights Privacy Act (FERPA).
- (13) Defines "relative" and "related" as a scholarship recipient's 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.

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

(Amends Ch. 6 of Title 17; adds R.S. 17:1891)