

2015 Regular Session

HOUSE BILL NO. 181

BY REPRESENTATIVE BROWN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENT/LOANS-SCHOLARSHIP: Provides relative to student citizenship requirements for TOPS eligibility purposes

1 AN ACT

2 To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii)(aa) and (ee)(II) and to enact R.S.  
3 17:3048.1(A)(1)(a)(iii)(gg), relative to receipt of awards from the Louisiana Taylor  
4 Opportunity Program for Students; to provide relative to citizenship requirements for  
5 receipt of such award; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3048.1(A)(1)(a)(iii)(aa) and (ee)(II) are hereby amended and  
8 reenacted and R.S. 17:3048.1(A)(1)(a)(iii)(gg) is hereby enacted to read as follows:

9 §3048.1. Program awards; eligibility; amounts; limitations; funding; administration

10 A.(1) As part of the Louisiana Taylor Opportunity Program for Students, the  
11 state shall financially assist any student who enrolls on a full-time basis in a public  
12 college or university in this state or a regionally accredited independent college or  
13 university in the state that is a member of the Louisiana Association of Independent  
14 Colleges and Universities, hereafter in this Chapter referred to collectively as  
15 "eligible colleges or universities", to pursue an academic undergraduate degree or,  
16 as provided by this Subsection, skill or occupational training as defined by the  
17 administering agency including a vocational or technical education certificate or  
18 diploma program or a nonacademic undergraduate degree, and who meets the  
19 qualifications of Subparagraph (b), (c), or (d) of this Paragraph and all of the  
20 applicable following qualifications:

1 (a)

2 \* \* \*

3 (iii)(aa) For a student graduating from high school during the 1999-2000  
4 school year or thereafter, is a citizen of the United States and if an independent  
5 student, as defined by the administering agency, is a resident of Louisiana or if a  
6 dependent student, as defined by the administering agency, has a parent or court-  
7 ordered custodian who is a resident of Louisiana during the twenty-four months  
8 preceding the date of the student's graduation from high school, or is eligible  
9 pursuant to the alternative means of determining residency for dependent students  
10 provided by Paragraph (C)(4) of this Section, or is the dependent child of a resident  
11 of Louisiana on active duty with the United States armed forces who is stationed  
12 outside Louisiana but who claims Louisiana as his official state of legal residence  
13 and who has filed a Louisiana state income tax return for the most recent two years,  
14 or is the dependent child of a nonresident of Louisiana on active duty with the United  
15 States armed forces who is stationed in Louisiana under permanent change of station  
16 orders and who not later than one hundred eighty days after reporting to such station  
17 changes his military personnel records to establish Louisiana as his official state of  
18 legal residence and complies with Louisiana income tax laws and regulations for the  
19 time period while stationed in Louisiana. A student who graduates from high school  
20 prior to the 2018-2019 school year and who is not a citizen of the United States but  
21 who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship  
22 requirement of this Subitem if within sixty days after the date the student attains the  
23 age of majority, the student applies to become a citizen of the United States and  
24 obtains such citizenship within one year after the date of application.

25 \* \* \*

26 (ee) With regard to meeting the requirements of being a citizen of the United  
27 States:

28 \* \* \*

1 (II) For a student graduating from high school during the 2002-2003 school  
2 year and ~~thereafter~~ prior to the 2018-2019 school year, a student who is not a citizen  
3 of the United States but who is a permanent resident, as defined by the United States  
4 Immigration and Naturalization Service, and is eligible to apply for United States  
5 citizenship shall be deemed to satisfy the citizenship requirement of this  
6 Subparagraph.

7 \* \* \*

8 (gg) For a student graduating from high school during the 2018-2019 school  
9 year and thereafter, a student who is not a citizen of the United States but who is the  
10 child of a non-United States citizen who is either serving in any branch of the United  
11 States armed forces or has been honorably discharged from any branch of the United  
12 States armed forces shall be deemed to satisfy the citizenship requirement of this  
13 Item.

14 \* \* \*

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

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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)]

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**Abstract:** Restricts awards under the Taylor Opportunity Program for Students (TOPS) to U.S. citizens and children of non-U.S. citizens who either are serving in or were honorably discharged from any branch of the U.S. armed forces.

Present law (R.S. 17:3048.1) establishes TOPS and sets for various criteria for qualifying for an award under such program. Proposed law retains present law.

Present law generally requires a student receiving TOPS to be a U.S. citizen.

Present law provides exceptions for non-U.S. citizens to be eligible for an award if they meet either of the following:

- (1) If the student is eligible to apply for U.S. citizenship and within 60 days of attaining majority such student applies for U.S. citizenship and obtains such citizenship within one year after the date of application.
- (2) A student graduating during the 2002-2003 school year or after who is a permanent resident and is eligible to apply for U.S. citizenship.

Proposed law prohibits students graduating during the 2018-2019 school year and thereafter from qualifying for present law exceptions to the citizenship requirement. Further provides a new exception to the present law citizenship requirement for such students: a non-U.S. citizen may qualify for a TOPS award if the student's parent is either serving in or has been honorably discharged from any branch of the U.S. armed forces.

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

(Amends R.S. 17:3048.1(A)(1)(a)(iii)(aa) and (ee)(II); Adds R.S. 17:3048.1(A)(1)(a)(iii)(gg))