

Regular Session, 2011

SENATE BILL NO. 194

BY SENATOR JACKSON

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

TOPS. Provides for pro rata reductions in award amounts in the event of insufficient funding. (gov sig)

AN ACT

To amend and reenact R.S. 17:3048.1(N), relative to the Taylor Opportunity Program for Students; to provide for pro rata reductions in award amounts in the event of insufficient funding to fully fund awards to all qualifying students; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3048.1(N) is hereby amended and reenacted to read as follows:

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

* * *

N.(†) In the event the legislature appropriates insufficient money to **fully** fund all awards made to students qualifying under the provisions of this Section, ~~the number of students to whom awards shall be made shall be reduced as necessary pursuant to a procedure set out by rule adopted by the administering agency. The procedure shall provide for such reduction to be based on the scores on the American College Test and then on the ability of each student's family to pay the student's tuition as evidenced by the expected family contribution determined by using the standardized federal methodology for establishing student financial need. The~~

1 ~~procedure shall provide that reductions of awards made necessary by insufficient~~
2 ~~appropriations shall first eliminate the cohort of students who score lowest on the~~
3 ~~American College Test. The procedures shall provide that within that cohort of~~
4 ~~students, those whose families are most able to pay the student's tuition shall be~~
5 ~~eliminated first. After insufficient appropriations require the elimination of all~~
6 ~~students in such cohort, the procedures shall require repeating the process with those~~
7 ~~students in the next highest score cohort.~~ **the administering agency shall reduce**
8 **the amount of the award for each qualifying student equitably, on a pro rata**
9 **basis, so that every student receives the award for which he qualifies and the**
10 **total amount of all awards in any academic year does not exceed the funds**
11 **available to the agency for this purpose, either from legislative appropriation**
12 **or other sources of funding.**

13 (2) ~~Among students denied their awards as provided in this Subsection, those~~
14 ~~students whose families have the least capacity to pay shall be the first to receive~~
15 ~~their awards if monies become available. Any student for whom the expected family~~
16 ~~contribution cannot be determined as provided for in Paragraph (1) of this Subsection~~
17 ~~shall be denied his award until the legislature appropriates sufficient monies to fund~~
18 ~~all awards made to students qualifying under the provisions of this Section.~~

19 * * *

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

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

DIGEST

Present law provides that in the event the legislature fails to appropriate sufficient money to fund all awards made to students who qualify for a TOPS award, the administering agency will establish a procedure to reduce the number of students who will receive awards based on ACT scores and the student's ability to pay tuition, as determined by federal guidelines

for determining student financial need.

Provides that the first cohort of students eliminated will be those who score lowest on the ACT. Further provides that within this cohort, those students whose families are most able to pay the student's tuition will be eliminated first. If funding is still insufficient after the elimination of all students in this cohort, this procedure will be repeated with each succeeding score cohort.

Provides that among students so denied their awards, students whose families have the least capacity to pay shall be the first to receive their awards if monies become available. Students for whom the expected family contribution cannot be determined shall be denied their award until the legislature appropriates sufficient monies to fund all awards to qualifying students.

Proposed law deletes these provisions and instead provides that in the event the legislature appropriates insufficient money to fully fund all awards made to qualifying students, the administering agency will reduce the amount of the award for each qualifying student equitably, on a pro rata basis, so that every student receives the award for which he qualifies and the total amount of all awards in any academic year does not exceed the funds available to the agency, either from legislative appropriation or other sources of funding.

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

(Amends R.S. 17:3048.1(N))