

Regular Session, 2012

HOUSE BILL NO. 945

BY REPRESENTATIVES HENRY BURNS, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROSSETT, BROWN, BURFORD, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, FOIL, GAROFALO, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, KLECKLEY, NANCY LANDRY, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PONTI, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT AND SENATORS ADLEY, APPEL, BROOME, BUFFINGTON, CHABERT, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GUILLORY, JOHNS, LONG, MARTINY, MILLS, MORRELL, MURRAY, NEVERS, PEACOCK, PERRY, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE

1 AN ACT

2 To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), (c)(i), (d)(i), and (4)(a)(iii), (B)(3)(a),
3 (P)(1)(c), (2)(b), (3)(b), and (4)(b), (Q)(1)(d), and (V)(1)(c), relative to the Taylor
4 Opportunity Program for Students; to provide for initial award eligibility and
5 continuing eligibility for certain students who reenlist in the United States Armed
6 Forces and maintain continuous active duty under certain circumstances; to extend
7 the length of time required to claim or maintain an award for certain students on
8 active duty under certain circumstances; to provide for applicability; to provide an
9 effective date; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:3048.1(A)(1)(b)(i), (c)(i), (d)(i), and (4)(a)(iii), (B)(3)(a),
12 (P)(1)(c), (2)(b), (3)(b), and (4)(b), (Q)(1)(d), and (V)(1)(c) are hereby amended and
13 reenacted to read as follows:

1 §3048.1. Program awards; eligibility; amounts; limitations; funding; administration

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

13 * * *

14 (b)(i) Has been certified as provided in Subsection D of this Section to have
15 graduated from a public high school or a nonpublic high school which has been
16 approved by the State Board of Elementary and Secondary Education, has a
17 minimum cumulative grade point average of 2.50 calculated on a 4.00 scale, has a
18 composite score on the 1990 version of the American College Test which is at least
19 equal to or higher than the state's average composite score, rounded to the nearest
20 whole number, reported for the prior year but never less than twenty or an equivalent
21 concordant value on an enhanced or revised version of such test or on the Scholastic
22 Aptitude Test, and, unless granted an exception for cause by the administering
23 agency, has enrolled in an eligible college or university as a first-time freshman not
24 later than the semester, excluding summer semesters or sessions, immediately
25 following the first anniversary of the date that the student graduated from high
26 school or, if the student joins the United States Armed Forces within one year after
27 graduating from high school, has enrolled in an eligible college or university as a
28 first-time freshman not later than the semester, excluding summer semesters or
29 sessions, immediately following the fifth anniversary of the date that the student
30 graduated from high school; however, effective for the 1996-1997 school year and

1 thereafter, if, on or prior to the fifth anniversary of the date that the student graduated
 2 from high school, the student reenlists in the United States Armed Forces and
 3 maintains continuous active duty, the five-year period shall be extended to the
 4 semester immediately following the one-year anniversary of the student's separation
 5 from active duty service. As distinguished from all other students qualifying for this
 6 program, a student who meets the requirements of this Subparagraph shall be the
 7 recipient of an "Opportunity Award" for the purposes of this program.

* * *

9 (c)(i)(aa) Has been certified as provided in Subsection D of this Section to
 10 have graduated from a public high school or nonpublic high school which has been
 11 approved by the State Board of Elementary and Secondary Education, has enrolled,
 12 unless granted an exception for cause by the administering agency, in an eligible
 13 college or university as a first-time freshman not later than the semester, excluding
 14 summer semesters or sessions, immediately following the first anniversary of the
 15 date that the student graduated from high school ~~or, if the student joins the United~~
 16 ~~States Armed Forces within one year after graduating from high school, has enrolled~~
 17 ~~in an eligible college or university as a first-time freshman not later than the~~
 18 ~~semester, excluding summer semesters or sessions, immediately following the fifth~~
 19 ~~anniversary of the date that the student graduated from high school, except as~~
 20 provided in Subitem (bb) of this Item, has achieved a minimum cumulative grade
 21 point average of 3.50 calculated on a 4.00 scale, and has a composite score on the
 22 1990 version of the American College Test of twenty-three or higher or an
 23 equivalent concordant value on any enhanced or revised version of such test or on
 24 the Scholastic Aptitude Test. As distinguished from all other students qualifying for
 25 this program, a student who meets the requirements of this Subparagraph shall
 26 receive and be recognized as the recipient of a "Performance Award" for the
 27 purposes of this program.

28 (bb) If the student joins the United States Armed Forces within one year after
 29 graduating from high school, has enrolled in an eligible college or university as a
 30 first-time freshman not later than the semester, excluding summer semesters or

1 sessions, immediately following the fifth anniversary of the date that the student
 2 graduated from high school; however, effective for the 1996-1997 school year and
 3 thereafter, if, on or prior to the fifth anniversary of the date that the student graduates
 4 from high school, the student reenlists in the United States Armed Forces and
 5 maintains continuous active duty, the five-year period shall be extended to the
 6 semester immediately following the one-year anniversary of the student's separation
 7 from active duty service.

8 * * *

9 (d)(i) Has been certified as provided in Subsection D of this Section to have
 10 graduated from a public high school or nonpublic high school which has been
 11 approved by the State Board of Elementary and Secondary Education with a
 12 minimum cumulative grade point average of 3.50 on a 4.00 scale and a score of
 13 twenty-seven or higher on the 1990 version of the American College Test or an
 14 equivalent concordant value on any enhanced or revised version of such test or on
 15 the Scholastic Aptitude Test, and, unless granted an exception for cause by the
 16 administering agency, has enrolled in an eligible college or university as a first-time
 17 freshman not later than the semester, excluding summer semesters or sessions,
 18 immediately following the first anniversary of the date that the student graduated
 19 from high school or, if the student joins the United States Armed Forces within one
 20 year after graduating from high school, has enrolled in an eligible college or
 21 university as a first-time freshman not later than the semester, excluding summer
 22 semesters or sessions, immediately following the fifth anniversary of the date that
 23 the student graduated from high school; however, effective for the 1996-1997 school
 24 year and thereafter, if, on or prior to the fifth anniversary of the date that the student
 25 graduated from high school, the student reenlists in the United States Armed Forces
 26 and maintains continuous active duty, the five-year period shall be extended to the
 27 semester immediately following the one-year anniversary of the student's separation
 28 from active duty service. As distinguished from all other students qualifying for this
 29 program, a student who meets the requirements of this Subparagraph shall receive

1 and be recognized as the recipient of an "Honors Award" for the purposes of this
2 program.

3 * * *

4 (4) To maintain continued state payment of an amount equal to tuition and
5 other amounts pursuant to an award under this Chapter once enrolled in college a
6 student shall meet all of the following:

7 (a)

8 * * *

9 (iii) If at any time a student fails to maintain the cumulative grade point
10 average required for continuation in the program or as of the end of any semester or
11 term during the academic year fails to make steady academic progress as defined by
12 the administering agency, such student shall become ineligible for further payments.
13 Payments limited to those provided in Paragraph (A)(2) of this Section regardless of
14 whether the originally granted award was an Opportunity, Performance, or Honors
15 Award may be reinstated upon attainment of the grade point average required by this
16 Paragraph for a student to maintain continued state payments once enrolled in
17 college and the standards for steady academic progress as defined by the
18 administering agency, provided that the student has maintained other continuation
19 requirements and the period of ineligibility did not persist for more than two years
20 from the date of loss of eligibility. If this two-year period is interrupted due to a
21 student's active duty service in the United States Armed Forces, the two-year period
22 shall be extended for a length of time equal to the student's active duty service, not
23 to exceed four years, unless the student reenlists in the United States Armed Forces
24 and maintains continuous active duty, in which case the period shall be extended for
25 a length of time equal to the student's active duty service; or unless the student is
26 granted an exception for cause by the administering agency.

27 * * *

28 B.

29 * * *

1 freshman not later than the semester, excluding summer semesters or sessions,
 2 immediately following the first anniversary of the date that the student graduated
 3 from high school or, if the student joins the United States Armed Forces within one
 4 year after graduating from high school, has enrolled in a Louisiana public
 5 postsecondary institution as a first-time freshman not later than the semester,
 6 excluding summer semesters or sessions, immediately following the fifth anniversary
 7 of the date that the student graduated from high school; however, effective for the
 8 1996-1997 school year and thereafter, if, on or prior to the fifth anniversary of the
 9 date that the student graduated from high school, the student reenlists in the United
 10 States Armed Forces and maintains continuous active duty, the five-year period shall
 11 be extended to the semester immediately following the one-year anniversary of the
 12 student's separation from active duty service.

* * *

14 (2) Notwithstanding any initial student eligibility requirement of this Chapter
 15 to the contrary, a student shall be eligible to receive an Opportunity Award pursuant
 16 to this Section provided each of the following conditions are met:

* * *

18 (b) Unless granted an exception for cause by the administering agency, the
 19 student has enrolled in an eligible college or university as a first-time freshman not
 20 later than the semester, excluding summer semesters or sessions, immediately
 21 following the first anniversary of the date that the student graduated from high
 22 school or, if the student joins the United States Armed Forces within one year after
 23 graduating from high school, has enrolled in an eligible college or university as a
 24 first-time freshman not later than the semester, excluding summer semesters or
 25 sessions, immediately following the fifth anniversary of the date that the student
 26 graduated from high school; however, effective for the 1996-1997 school year and
 27 thereafter, if, on or prior to the fifth anniversary of the date that the student graduated
 28 from high school, the student reenlists in the United States Armed Forces and
 29 maintains continuous active duty, the five-year period shall be extended to the

1 semester immediately following the one-year anniversary of the student's separation
2 from active duty service.

3 * * *

4 (3) Notwithstanding any initial student eligibility requirement of this Chapter
5 to the contrary, a student shall be eligible to receive a Performance Award pursuant
6 to this Section provided each of the following conditions are met:

7 * * *

8 (b) Unless granted an exception for cause by the administering agency, the
9 student has enrolled in an eligible college or university as a first-time freshman not
10 later than the semester, excluding summer semesters or sessions, immediately
11 following the first anniversary of the date that the student graduated from high
12 school or, if the student joins the United States Armed Forces within one year after
13 graduating from high school, has enrolled in an eligible college or university as a
14 first-time freshman not later than the semester, excluding summer semesters or
15 sessions, immediately following the fifth anniversary of the date that the student
16 graduated from high school; however, effective for the 1996-1997 school year and
17 thereafter, if, on or prior to the fifth anniversary of the date that the student graduated
18 from high school, the student reenlists in the United States Armed Forces and
19 maintains continuous active duty, the five-year period shall be extended to the
20 semester immediately following the one-year anniversary of the student's separation
21 from active duty service.

22 * * *

23 (4) Notwithstanding any initial student eligibility requirement of this Chapter
24 to the contrary, a student shall be eligible to receive an Honors Award pursuant to
25 this Section provided each of the following conditions are met:

26 * * *

27 (b) Unless granted an exception for cause by the administering agency, the
28 student has enrolled in an eligible college or university as a first-time freshman not
29 later than the semester, excluding summer semesters or sessions, immediately
30 following the first anniversary of the date that the student graduated from high

1 school or, if the student joins the United States Armed Forces within one year after
 2 graduating from high school, has enrolled in an eligible college or university as a
 3 first-time freshman not later than the semester, excluding summer semesters or
 4 sessions, immediately following the fifth anniversary of the date that the student
 5 graduated from high school; however, effective for the 1996-1997 school year and
 6 thereafter, if, on or prior to the fifth anniversary of the date that the student graduated
 7 from high school, the student reenlists in the United States Armed Forces and
 8 maintains continuous active duty, the five-year period shall be extended to the
 9 semester immediately following the one-year anniversary of the student's separation
 10 from active duty service.

* * *

12 Q.(1) Notwithstanding any initial student eligibility requirement of this
 13 Chapter to the contrary, a student shall be eligible to receive a TOPS-Tech Award
 14 pursuant to this Section provided each of the following conditions are met:

* * *

16 (d) Unless granted an exception for cause by the administering agency, the
 17 student has enrolled in a Louisiana public postsecondary institution as a first-time
 18 freshman not later than the semester, excluding summer semesters or sessions,
 19 immediately following the first anniversary of the date that the student's initial
 20 application is received by the administering agency or, if the student joins the United
 21 States Armed Forces within one year after completing the home study program, has
 22 enrolled in a Louisiana public postsecondary institution as a first-time freshman not
 23 later than the semester, excluding summer semesters or sessions, immediately
 24 following the fifth anniversary of the date that the student's initial application is
 25 received by the administering agency; however, effective for the 1996-1997 school
 26 year and thereafter, if, on or prior to the fifth anniversary of the date that the student
 27 completed the home study program, the student reenlists in the United States Armed
 28 Forces and maintains continuous active duty, the five-year period shall be extended

1 program approved by the State Board of Elementary and Secondary Education, has
 2 enrolled in an eligible college or university as a first-time freshman not later than the
 3 semester, excluding summer semesters or sessions, immediately following the fifth
 4 anniversary of the date that the student completed a home study program approved
 5 by the State Board of Elementary and Secondary Education; however, effective for
 6 the 1996-1997 school year and thereafter, if, on or prior to the fifth anniversary of
 7 the date that the student completed the home study program, the student reenlists in
 8 the United States Armed Forces and maintains continuous active duty, the five-year
 9 period shall be extended to the semester immediately following the one-year
 10 anniversary of the student's separation from active duty service.

11 * * *

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

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____