

Regular Session, 2012

ACT No. 215

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:

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

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

* * *

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

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

* * *

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

(bb) If the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in an eligible college or university as a 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

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

* * *

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

(a)

* * *

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

* * *

B.

* * *

(3) To maintain continued state payment of an amount equal to tuition pursuant to a TOPS-Tech Award once enrolled in an institution, a student shall meet all of the following:

(a) Make steady academic progress as defined by the administering agency toward completion of the requirements of the program in which enrolled earning not less than the minimum number of hours of credit required for full-time standing or the required number of hours needed to complete the program's requirements. If at any time a student fails to maintain the cumulative grade point average required for continuation in the program or as of the end of any term during the school year fails to make steady academic progress as defined by the administering agency, the student shall become ineligible for further payments. Payments may be reinstated upon attainment of the grade point average required for continuation of the original award and the standards for steady academic progress as defined by the administering agency, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than one year from the date of loss of eligibility. If this one-year period is interrupted due to a student's active duty service in the United States Armed Forces, the one-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years, unless the student reenlists in the United States Armed Forces and maintains continuous active duty, in which case the period shall be extended for a length of time equal to the student's active duty service; or unless the student is granted an exception for cause by the administering agency.

* * *

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

* * *

(c) Unless granted an exception for cause by the administering agency, the student has enrolled in a Louisiana public postsecondary institution as a first-time

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

* * *

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

* * *

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

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

* * *

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

* * *

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

* * *

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

* * *

(b) Unless granted an exception for cause by the administering agency, the student has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately 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.

11 * * *

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:

15 * * *

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

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

* * *

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

* * *

(c)(i) If graduating from a high school and unless granted an exception for cause by the administering agency, the student has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States ~~armed~~ forces Armed Forces within one year after the date that the student graduated from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school; however, effective for the 1996-1997 school year and thereafter, if, on or prior to the fifth anniversary of the date that the student graduated from high school, the student reenlists in the United States Armed Forces and maintains continuous active duty, the five-year period shall be extended to the semester immediately following the one-year anniversary of the student's separation from active duty service.

(ii) If a completer of a home study program approved by the State Board of Elementary and Secondary Education and unless granted an exception for cause by the administering agency, the student has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student completed a home study program approved by the State Board of Elementary and Secondary Education or, if the student joins the United States ~~armed forces~~ Armed Forces within one year after the date that the student completed a home study

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

* * *

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____