

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**

**A BILL ACT 733 OF 1991**  
**HOUSE BILL 2098**

4 **By: Representatives Thurman and Hunton**

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**For An Act To Be Entitled**

8 "AN ACT TO AMEND ACTS 352 AND 362 OF 1991 TO ESTABLISH THE  
9 FAMILY INCOME LEVEL CRITERIA FOR ADOPTED CHILDREN TO  
10 QUALIFY FOR THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP  
11 PROGRAM; AND FOR OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Subsection (f) of Section 4 of Act 352 of 1991 is hereby  
16 amended to read as follows:

17 "(f) The student must demonstrate financial need as defined by the  
18 Department of Higher Education. In calculating student financial need, the  
19 following criteria shall be used:

20 (1) An applicant whose family includes one unemancipated child under  
21 the age of 21 shall have average family adjusted gross income over the  
22 previous two years not exceeding \$30,000 per year at the time of application  
23 to the program. If the applicant is an adopted child who was at least 12  
24 years of age at the time of adoption, and the applicant's family includes one  
25 unemancipated adopted child under 21 years of age, the adoptive family's  
26 average adjusted gross income for the two years preceding the date of  
27 application to the program shall not exceed \$40,000 per year.

28 (2) An applicant whose family includes two unemancipated children under  
29 the age of 21 shall have average family adjusted gross income over the  
30 previous two years not exceeding \$35,000 per year at the time of application  
31 to the program. If the applicant is an adopted child who was at least 12  
32 years of age at the time of adoption, and the applicant's family includes two  
33 unemancipated adopted children under 21 years of age, the adoptive family's  
34 average adjusted gross income for the two years preceding the date of  
35 application to the program shall not exceed \$50,000 per year.

36 (3) An applicant whose family includes three or more unemancipated

1 children under the age of 21 shall have average family adjusted gross income  
2 over the previous two years not exceeding \$40,000 per year at the time of  
3 application to the program, plus, for families with more than three  
4 unemancipated children under the age of 21, an additional \$5,000 per year for  
5 each additional child. If the applicant is an adopted child who was at least  
6 12 years of age at the time of adoption, and the applicant's family includes  
7 three unemancipated adopted children under 21 years of age, the adoptive  
8 family's average adjusted gross income for the two years preceding the date of  
9 application to the program shall not exceed \$60,000 per year. Further, if the  
10 applicant is an adopted child who was at least 12 years of age at the time of  
11 adoption, and the applicant's family includes four or more unemancipated  
12 adopted children under 21 years of age, the adoptive family's average adjusted  
13 gross income for the two years preceding the date of application to the  
14 program shall not exceed \$70,000 per year.

15 (4) The Department of Higher Education shall have the authority to  
16 adjust these financial need family income requirements on an annual basis,  
17 using the federal Consumer Price Index to make any necessary changes. Other  
18 financial need criteria necessary for the selection of recipients, including  
19 those defined as emancipated or independent by federal student aid  
20 regulations, shall be established through rules and regulations issued by the  
21 Department of Higher Education."

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23 SECTION 2. Subsection (f) of Section 4 of Act 362 of 1991 is hereby  
24 amended to read as follows:

25 "(f) The student must demonstrate financial need as defined by the  
26 Department of Higher Education. In calculating student financial need, the  
27 following criteria shall be used:

28 (1) An applicant whose family includes one unemancipated child under  
29 the age of 21 shall have average family adjusted gross income over the  
30 previous two years not exceeding \$30,000 per year at the time of application  
31 to the program. If the applicant is an adopted child who was at least 12  
32 years of age at the time of adoption, and the applicant's family includes one  
33 unemancipated adopted child under 21 years of age, the adoptive family's  
34 average adjusted gross income for the two years preceding the date of  
35 application to the program shall not exceed \$40,000 per year.

1           (2) An applicant whose family includes two unemancipated children under  
2 the age of 21 shall have average family adjusted gross income over the  
3 previous two years not exceeding \$35,000 per year at the time of application  
4 to the program. If the applicant is an adopted child who was at least 12  
5 years of age at the time of adoption, and the applicant's family includes two  
6 unemancipated adopted children under 21 years of age, the adoptive family's  
7 average adjusted gross income for the two years preceding the date of  
8 application to the program shall not exceed \$50,000 per year.

9           (3) An applicant whose family includes three or more unemancipated  
10 children under the age of 21 shall have average family adjusted gross income  
11 over the previous two years not exceeding \$40,000 per year at the time of  
12 application to the program, plus, for families with more than three  
13 unemancipated children under the age of 21, an additional \$5,000 per year for  
14 each additional child. If the applicant is an adopted child who was at least  
15 12 years of age at the time of adoption, and the applicant's family includes  
16 three unemancipated adopted children under 21 years of age, the adoptive  
17 family's average adjusted gross income for the two years preceding the date of  
18 application to the program shall not exceed \$60,000 per year. Further, if the  
19 applicant is an adopted child who was at least 12 years of age at the time of  
20 adoption, and the applicant's family includes four or more unemancipated  
21 adopted children under 21 years of age, the adoptive family's average adjusted  
22 gross income for the two years preceding the date of application to the  
23 program shall not exceed \$70,000 per year.

24           (4) The Department of Higher Education shall have the authority to  
25 adjust these financial need family income requirements on an annual basis,  
26 using the federal Consumer Price Index to make any necessary changes. Other  
27 financial need criteria necessary for the selection of recipients, including  
28 those defined as emancipated or independent by federal student aid  
29 regulations, shall be established through rules and regulations issued by the  
30 Department of Higher Education."

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32 SECTION 3. All provisions of this Act of a general and permanent nature are  
33 amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
34 Revision Commission shall incorporate the same in the Code.

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