

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

A Bill

HOUSE BILL

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.

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

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

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

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

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

1 application to the program shall not exceed \$40,000 per year.

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

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

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

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

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SECTION 4. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

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