

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

SENATE BILL 850

5 By: Senators Broadway, Salmon, Bookout  
6 By: Representatives J. Roebuck, Abernathy, M. Burris  
7  
8

## For An Act To Be Entitled

9 AN ACT TO BROADEN THE HIGHER EDUCATION  
10 OPPORTUNITIES GRANT PROGRAM; TO PROVIDE NEED-  
11 BASED FINANCIAL AID FOR ALL COLLEGE-GOING  
12 INDIVIDUALS FROM LOW INCOME FAMILIES TO BE USED  
13 AT INSTITUTIONS OF HIGHER EDUCATION; AND FOR  
14 OTHER PURPOSES.  
15

## Subtitle

16 TO BROADEN THE HIGHER EDUCATION  
17 OPPORTUNITIES GRANT PROGRAM.  
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20  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 6-82-1702(5)-(8), concerning definitions,  
25 are amended to read as follows:

26 ~~(5) "High school graduate" means any student who graduates from~~  
27 ~~an Arkansas high school during the twelve month period immediately preceding~~  
28 ~~the year of application for a grant under this subchapter;~~

29 ~~(6)(5) "High school graduate equivalent" means any a student~~  
30 ~~between sixteen (16) and eighteen (18) years of age who passes the General~~  
31 ~~Educational Development Test in Arkansas during the twelve month period~~  
32 ~~immediately preceding the year of application to this program;~~

33 (7) "Part-time undergraduate student" means a resident of  
34 Arkansas who attends an approved institution of higher education and is  
35 enrolled in at least six (6) credit hours per semester or the equivalent but  
36 no more than twelve (12) credit hours or the equivalent the first semester



1 and fifteen (15) credit hours or the equivalent thereafter, as defined by  
 2 rule of the Department of Higher Education, in a program of study that leads  
 3 to or is creditable towards an associate degree or a baccalaureate degree,  
 4 and

5 ~~(8) “Unemancipated child” or “unemancipated children” means a~~  
 6 ~~dependent child or dependent children as defined by the United States~~  
 7 ~~Department of Education for student aid purposes.~~

8  
 9 SECTION 2. Arkansas Code § 6-82-1704(b)(2)-(6) are amended to read as  
 10 follows:

11 (2) An applicant shall ~~have graduated from an Arkansas high~~  
 12 ~~school or passed the General Educational Development Test in Arkansas within~~  
 13 ~~twelve (12) months of first enrolling as a full-time or part-time first-time~~  
 14 ~~student at an approved institution of higher education~~ be a bona fide  
 15 resident of the state as defined by the Department of Higher Education for a  
 16 minimum of twelve (12) months immediately before the date on which the  
 17 student applies;

18 ~~(3) An applicant shall have been a resident of the State of~~  
 19 ~~Arkansas for at least twelve (12) months prior to graduation from an Arkansas~~  
 20 ~~high school or the date of notification of completion of the General~~  
 21 ~~Educational Development Test, and the applicant and his or her custodial~~  
 22 ~~parent or guardian shall have maintained Arkansas residency for the same~~  
 23 ~~period of time;~~

24 ~~(4)~~(3) An applicant shall be accepted for admission to an  
 25 approved institution of higher education as a full-time or part-time student,  
 26 as defined by the department, ~~and shall enroll in an approved institution~~  
 27 ~~within twelve (12) months of high school graduation or notification of~~  
 28 ~~successful completion of the General Educational Development Test;~~

29 ~~(5)~~(4) An applicant shall certify that he or she is drug-free  
 30 and shall pledge in writing on the application form to refrain from the use  
 31 or abuse of illegal substances; and

32 ~~(6)~~(5) (A) An applicant shall demonstrate financial need as  
 33 determined by the department.

34 (B) In determining financial need, the following criteria  
 35 shall be used:

36 (i) An applicant whose family number in the

1 household, as reported on the Free Application for Federal Student Aid,  
 2 ~~includes is~~ one (1) ~~unemancipated child~~ shall have an average family adjusted  
 3 gross income not exceeding twenty-five thousand dollars (\$25,000) per year at  
 4 the time of application to the program;

5 (ii) An applicant whose ~~family~~ number in the  
 6 household, as reported on the Free Application for Federal Student Aid,  
 7 includes more than one (1) ~~unemancipated child~~ shall add an additional five  
 8 thousand dollars (\$5,000) per ~~child~~ additional number in the household up to  
 9 ten (10) additional household members, as reported on the Free Application  
 10 for Federal Student Aid to the base income of twenty-five thousand dollars  
 11 (\$25,000); and

12 (iii) The department shall have the authority to  
 13 adjust these financial need family income requirements on an annual basis,  
 14 using the federal Consumer Price Index to make any necessary changes. Other  
 15 financial need criteria necessary for the selection of recipients, including  
 16 those defined as emancipated or independent by federal student aid  
 17 regulations, shall be established through rules issued by the department.

18  
 19 SECTION 3. Arkansas Code § 6-82-1705, concerning recipients, is  
 20 amended to add an additional subsection to read as follows:

21 (e) Awards shall be applied only to a fall semester and a spring  
 22 semester.

23  
 24 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
 25 General Assembly of the State of Arkansas that the Higher Education  
 26 Opportunities Grant Program will be effective for the 2009-2010 school year;  
 27 that students who are graduating from high school in May of 2009 may be  
 28 eligible for this program; that timing is critical for the dissemination of  
 29 information to these students. Therefore, an emergency is declared to exist  
 30 and this act being immediately necessary for the preservation of the public  
 31 peace, health, and safety shall become effective on:

32 (1) The date of its approval by the Governor;

33 (2) If the bill is neither approved nor vetoed by the Governor,  
 34 the expiration of the period of time during which the Governor may veto the  
 35 bill; or

36 (3) If the bill is vetoed by the Governor and the veto is

1 overridden, the date the last house overrides the veto.

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