

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1897

By: Representative Burch

For An Act To Be Entitled

AN ACT CONCERNING ELIGIBILITY REQUIREMENTS FOR THE
ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; AND
FOR OTHER PURPOSES.

Subtitle

CONCERNING ELIGIBILITY REQUIREMENTS FOR
THE ARKANSAS ACADEMIC CHALLENGE
SCHOLARSHIP PROGRAM.

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

SECTION 1. Arkansas Code § 6-85-204(5), concerning the definition of
"Arkansas resident", is repealed.

~~(5) "Arkansas resident" means a natural person who provides
evidence deemed sufficient by the Department of Higher Education that:~~

~~(A) For the twelve-month period required under § 6-85-
206(1), the person:~~

~~(i) Maintained a permanent home in Arkansas where
the person resides for an average of no less than four (4) days and nights
per calendar week; and~~

~~(ii) Either:~~

~~(a) Is an Arkansas registered voter;~~

~~(b) Holds a valid Arkansas motor vehicle
driver's license;~~

~~(c) Receives benefits under an Arkansas public
assistance program;~~

~~(d) Uses an Arkansas residence address for~~



~~federal or state tax purposes; or~~

~~(e) Claims Arkansas as a residence to hold
public office or for judicial actions; or~~

~~(B) Before the deadline for filing a scholarship
application under this subchapter the applicant;~~

~~(i) Is on active military status;~~

~~(ii) Qualifies for in-state tuition and fees under §
6-60-205; and~~

~~(iii) Meets one (1) of the conditions under
subdivision (5)(A)(ii) of this section;~~

SECTION 2. Arkansas Code § 6-85-204(12), concerning the definition of
"lawful permanent resident", is repealed.

~~(12) "Lawful permanent resident" means a non-United States
citizen who resides in the United States under a legally recognized and
lawfully recorded permanent residence and who may receive state public
benefits under 8 U.S.C. § 1622;~~

SECTION 3. Arkansas Code § 6-85-206(1) and (2), concerning basic
eligibility requirements for the Arkansas Academic Challenge Scholarship, are
amended to read as follows:

~~(1)(A) The applicant has been an Arkansas resident for at least
the twelve (12) months immediately preceding the date the applicant will
enroll in an approved institution of higher education.~~

~~(B) If the applicant is less than twenty-one (21) years of
age, either the applicant or a parent or guardian of the applicant shall have
maintained Arkansas residency for at least the twelve (12) months immediately
preceding the date the applicant will enroll in an approved institution of
higher education.~~

~~(C)(i) To be considered an Arkansas resident, an applicant
shall demonstrate residency by evidence deemed sufficient to the Department
of Higher Education.~~

~~(ii) Evidence of residency may include without
limitation information provided by the applicant on the Free Application for
Federal Student Aid (FAFSA) or a subsequent application required by the
United States Department of Education for federal financial aid.~~

1 ~~(D) During the twelve (12) months immediately preceding~~
2 ~~the date an applicant will enroll in an approved institution of higher~~
3 ~~education if the person for whom the twelve-month period is calculated under~~
4 ~~subdivision (1)(A) or subdivision (1)(B) of this section is deployed outside~~
5 ~~of Arkansas under military orders, the Department of Higher Education shall~~
6 ~~calculate the twelve (12) months by:~~

7 ~~(i) Excluding months of military deployment outside~~
8 ~~of Arkansas that are within the twelve (12) months immediately preceding the~~
9 ~~date the applicant will enroll in an approved institution of higher~~
10 ~~education; and~~

11 ~~(ii) Including months the person maintained Arkansas~~
12 ~~residency immediately preceding the military deployment outside of Arkansas;~~

13 (A) Resided in the state of Arkansas for the last three
14 (3) consecutive years; and

15 (B) Within the last five (5) years:

16 (i) Graduated from a public or private high school
17 in this state; or

18 (ii) Received a high school equivalency diploma in
19 this state.

20 ~~(2) The applicant is a citizen of the United States or is a~~
21 ~~lawful permanent resident;~~