

House Bill 1319 (COMMITTEE SUBSTITUTE)

By: Representatives Werkheiser of the 157th, Wiedower of the 119th, Gaines of the 117th, Kelley of the 16th, Greene of the 151st, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to Georgia Student Finance Authority, so as to provide for a Georgia
3 LEO service cancelable loan program; to provide for a service cancelable student loan
4 repayment program for full-time medical examiners employed by the Division of Forensic
5 Sciences of the Georgia Bureau of Investigation; to provide for definitions; to provide for
6 qualifications and procedures; to provide for rules and regulations; to provide for funding;
7 to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
11 relating to Georgia Student Finance Authority, is amended by adding a new subpart to read
12 as follows:

13 "Subpart 7A14 20-3-460.15 As used in this subpart, the term:16 (1) 'Approved school' means a school which is a unit of the University System of
17 Georgia or a branch of the Technical College System of Georgia or a private independent
18 nonprofit postsecondary institution eligible for HOPE Scholarships or grants in
19 accordance with the provisions of Part 7 of this article.20 (2) 'Eligible student' means a person who:21 (A) Is enrolled as a full-time or part-time student in an approved school pursuing an
22 associate's or bachelor's degree in a criminal justice or relevant social science field;23 (B) Meets residency requirements to be classified as a legal resident of Georgia as
24 established pursuant to regulations of the authority and who remains a citizen of the
25 state while receiving funds under this subpart; and26 (C) Is a peace officer, as defined in Code Section 35-8-2, who is actively employed
27 by any agency, organ, or department of this state or a subdivision or municipality
28 thereof whose primary functions in such employment include the enforcement of
29 criminal or traffic laws, the preservation of public order, the protection of life and
30 property, or the prevention, detection, or investigation of crime and who has been
31 actively employed as a peace officer for at least two years and remains so employed
32 while receiving funds under this subpart.33 (3) 'Georgia LEO service cancelable loan' means a Georgia Law Enforcement Officer
34 service cancelable loan as provided for in Code Section 20-3-461.35 20-3-461.36 (a) Each eligible student attending an approved school is authorized for a Georgia LEO
37 service cancelable loan for a maximum of four award years in the amount of \$2,000.00 per

38 award year. No person shall be eligible to receive loan assistance provided under this
39 subsection in excess of \$8,000.00.

40 (b) Loan assistance to eligible students under this subpart shall be available on a pro rata
41 basis based upon whether the student is enrolled full time or part time and the number of
42 semesters or quarters of enrollment. The issuance of loans to eligible students under this
43 subpart shall be contingent upon the appropriation of funds by the General Assembly for
44 the purposes of this subpart in annual appropriations Acts of the General Assembly.

45 20-3-462.

46 (a) Any person meeting the conditions of this subpart may apply to the authority for a
47 Georgia LEO service cancelable loan. Such application shall be submitted in writing on
48 forms prescribed by the authority for such purpose. The applicant shall furnish such
49 information as may be required by the authority for determination of eligibility for the loan.
50 The authority shall approve loans only upon receipt of the recipient's application therefor.
51 The authority shall renew such loans only upon receipt of the recipient's application and
52 upon a finding that the recipient has successfully completed the work of the preceding
53 academic period and the presentation of evidence that he or she is a student in good
54 standing at the approved school, that he or she remains a resident of this state, and that he
55 or she remains otherwise qualified to receive such loan under this subpart.

56 (b) The authority is authorized to prescribe such rules and regulations as may be necessary
57 or convenient for administration of this program and to establish procedures for
58 determination of eligibility of applicants. The authority is also authorized to establish
59 standards and procedures for verifying the employment of the applicant as a peace officer
60 for the requisite period of time.

61 (c) Any and all loans made under this subpart shall be conditional upon the applicant
62 agreeing that the loan shall be repaid by the applicant either:

63 (1) Continuing to be employed as a peace officer, as defined in Code Section 35-8-2,
64 who is actively employed by an authority approved agency, organ, or department of this
65 state or a subdivision or municipality thereof whose primary functions in such
66 employment include the enforcement of criminal or traffic laws, the preservation of
67 public order, the protection of life and property, or the prevention, detection, or
68 investigation of crime in the State of Georgia. For service repayment, the loan shall be
69 repaid at a rate of one year of service for each academic year of study or its equivalent
70 for which a loan is made to the applicant under this subpart; or
71 (2) In cash with assessed interest thereon in accordance with the terms and conditions
72 of a promissory note that shall be executed by the applicant.
73 (d) All applicants receiving loans under this subpart shall execute, prior to the
74 disbursement of any loan proceeds to or for the benefit of that applicant, a promissory note
75 containing the terms and conditions of the service repayment and cash repayments. Except
76 as prohibited by federal or other state laws, individuals that fail to fulfill the terms and
77 conditions of cash repayment may, without judicial action, be subject to garnishment of
78 their pay, loss of a professional license, offset of lottery winnings, and offset of a state tax
79 refund in accordance with rules and regulations promulgated by the authority not
80 inconsistent with the provisions of this part."

81 **SECTION 2.**

82 Said part is further amended by adding a new subpart to read as follows:

83 "Subpart 7B

84 20-3-465.

85 (a) As used in this subpart, the term 'eligible applicant' means a person who:

- 86 (1) Is a legal resident of the State of Georgia as established pursuant to regulations of the
87 authority and who remains a citizen of the state while receiving funds under this subpart;
88 (2) Is a physician licensed and authorized to practice medicine in this state under
89 Article 2 of Chapter 34 of Title 43 and continues to be so licensed and authorized while
90 receiving funds under this subpart;
91 (3) Is employed as a full-time medical examiner by the Division of Forensic Sciences of
92 the Georgia Bureau of Investigation and remains so employed while receiving funds
93 under this subpart; and
94 (4) Is approved by the authority to receive student loan repayments in accordance with
95 rules and regulations established by the authority.
- 96 (b) The authority is authorized to provide for the repayment of student loans made to
97 eligible applicants in accordance with this subpart, in consideration of eligible applicants
98 performing services in the form of the practice of medicine as a full-time medical examiner
99 employed by the Division of Forensic Sciences of the Georgia Bureau of Investigation
100 while residing in this state.
- 101 (c)(1) Eligible applicants whose applications are approved and who enter into a student
102 loan repayment agreement with the authority shall be eligible for student loan repayment
103 in a total amount to be determined by the authority, but not exceeding a maximum of
104 \$120,000.00 in total student loan repayment per person, as provided by this subpart. The
105 loan repayment made pursuant to this subpart shall be paid in such manner as the
106 authority shall determine.
- 107 (2) The student loan repayment to be granted to each eligible applicant shall be based
108 upon the condition that the student loan repayment shall be in consideration of services
109 rendered by the eligible applicant after entering into a student loan repayment agreement
110 with the authority by practicing medicine as a full-time medical examiner employed by
111 the Division of Forensic Sciences of the Georgia Bureau of Investigation.

112 (3) For qualifying time served after entering into a student loan repayment agreement
113 with the authority in practicing his or her profession as provided in this subpart, the
114 eligible applicant shall receive a student loan repayment at a rate equivalent to up to
115 \$20,000.00 per 12 months of service; provided, however, that the total repayment amount
116 shall not exceed the maximum specified in paragraph (1) of this subsection or the total
117 student loan debt of the applicant, whichever is less.

118 (4) Student loan repayment for eligible applicants under this subpart shall be contingent
119 upon the appropriation of funds by the General Assembly for the purposes of this subpart
120 in annual appropriations Acts of the General Assembly.

121 (d)(1) Each eligible applicant before being granted any loan repayment shall enter into
122 a student loan repayment agreement with the authority agreeing to the terms and
123 conditions upon which the student loan repayment is granted, including such terms and
124 conditions as will carry out the full purpose and intent of this subpart. The form of such
125 agreement shall be prepared and approved by the Attorney General, and each agreement
126 shall be signed by the president of the authority and by such applicant.

127 (2) The authority shall have the power to terminate the student loan repayment
128 agreement of any applicant at any time for any cause deemed sufficient by the authority,
129 provided that such power shall not be arbitrarily or unreasonably exercised.

130 (e) The authority shall adopt such rules and regulations as are reasonable and necessary
131 to implement this subpart."

132 **SECTION 3.**

133 All laws and parts of laws in conflict with this Act are repealed.