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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 111 Session of  
2019

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INTRODUCED BY HUGHES, BREWSTER, FONTANA, FARNESE, SANTARSIERO,  
COSTA, BLAKE AND SCHWANK, JANUARY 30, 2019

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REFERRED TO EDUCATION, JANUARY 30, 2019

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AN ACT

1 Providing for the Promise Program and establishing the Promise  
2 Fund.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Promise Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall  
9 have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "Academic year." A 12-month period commencing on or after  
12 August 1 of the calendar year.

13 "Agency." The Pennsylvania Higher Education Assistance  
14 Agency.

15 "Community college." An institution created under Article  
16 XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the  
17 Public School Code of 1949, or the act of August 24, 1963  
18 (P.L.1132, No.484), known as the Community College Act of 1963.

1 "Eligible adult learner." An individual who:

2 (1) Is a resident of this Commonwealth at the time of  
3 application to the agency for aid to assist with reeducation  
4 programs under section 8.

5 (2) Has been a domiciled resident of this Commonwealth  
6 as determined by the agency.

7 (3) Is 24 years of age or older at the time of  
8 application to the agency for aid to assist with reeducation  
9 programs under section 8.

10 (4) Has graduated from high school or an equivalent  
11 approved by the Department of Education.

12 (5) Has applied for and been accepted to an institution  
13 of higher education.

14 (6) Has completed a Free Application For Federal Student  
15 Aid (FAFSA).

16 (7) Has applied for all available Federal Pell grants,  
17 State grants and institution grants.

18 "Eligible student." An individual who:

19 (1) Is a resident of this Commonwealth at the time of  
20 application to the agency for a scholarship under section 6  
21 or 7.

22 (2) Has been a domiciled resident of this Commonwealth  
23 as determined by the agency.

24 (3) Is less than 24 years of age or is an active member  
25 of a branch of the armed services at the time of application  
26 to the agency for a scholarship under section 6 or 7.

27 (4) Has graduated from high school or an equivalent  
28 approved by the Department of Education within the previous  
29 five years.

30 (5) Has applied for and been accepted to an institution

1 of higher education.

2 (6) Has completed a Free Application For Federal Student  
3 Aid (FAFSA).

4 (7) Has applied for all available Federal Pell grants,  
5 State grants and institution grants.

6 "Fees." Fixed charges to recover costs of certain services,  
7 materials or activities provided. Fees may not exceed the  
8 highest fixed charges set by the Board of Governors of the State  
9 System of Higher Education.

10 "Full-time student." An individual enrolled in an  
11 undergraduate degree program at an institution of higher  
12 education and registered for a minimum of 12 credits per  
13 semester or equivalent enrollment as set by the agency.

14 "Fund." The Promise Fund established under section 5.

15 "Institution of higher education." Any of the following:

16 (1) A community college.

17 (2) A State-owned institution.

18 (3) A State-related institution.

19 (4) The Thaddeus Stevens College of Technology.

20 "Part-time student." An individual enrolled in an  
21 institution of higher education and registered for less than 12  
22 credits per semester or equivalent enrollment as set by the  
23 agency.

24 "Program." The Promise Program established under section 3.

25 "Room and board." The standard educational expense allowance  
26 for the most recent year as determined by the agency.

27 "State-owned institution." An institution which is part of  
28 the State System of Higher Education under Article XX-A of the  
29 Public School Code of 1949 and all branches and campuses of the  
30 institution.

1 "State-related institution." The Pennsylvania State  
2 University, Pennsylvania College of Technology, University of  
3 Pittsburgh, Temple University, Lincoln University and associated  
4 branch campuses of the universities.

5 "Tuition." An amount not to exceed the maximum undergraduate  
6 in-State tuition rate established by the Board of Governors of  
7 the State System of Higher Education for rendering educational  
8 services, as enumerated in Article XX-A of the Public School  
9 Code of 1949. The agency, at its discretion, may increase the  
10 maximum amount.

11 Section 3. Promise Program.

12 There is established within the agency a program to be known  
13 as the Promise Program.

14 Section 4. Procedure.

15 (a) Agency.--The agency shall administer the program and be  
16 responsible for carrying out this act.

17 (b) Regulations.--The agency may adopt rules and regulations  
18 necessary to administer this act.

19 Section 5. Promise Fund.

20 (a) Fund.--A restricted receipts account shall be  
21 established in the State Treasury and shall be known as the  
22 Promise Fund.

23 (b) Administration of fund.--Money in the fund shall be  
24 appropriated to the agency on an ongoing basis to carry out this  
25 act.

26 (c) Contributions and investment.--The following apply:

27 (1) The fund may accept gifts, donations, legacies or  
28 any other revenues.

29 (2) Interest earned by the fund shall remain in the  
30 fund.

1 (d) Purpose.--Money in the fund shall be used for the  
2 purpose set forth in this act.

3 (e) Allocation.--The following shall apply:

4 (1) The agency shall distribute money from the fund to  
5 eligible students in accordance with sections 6 and 7.

6 (2) The agency shall allocate money in the fund for  
7 eligible adult learners:

8 (i) In accordance with section 8.

9 (ii) In the following amounts:

10 (A) For fiscal year 2019-2020, \$12,500,000.

11 (B) For fiscal year 2020-2021, \$25,000,000.

12 (C) For fiscal year 2021-2022, \$40,000,000.

13 (D) For fiscal year 2022-2023 and each fiscal  
14 year thereafter, \$50,000,000.

15 (3) Beginning no later than the first full fiscal year  
16 after the notice in section 10 is published and each fiscal  
17 year thereafter, \$50,000,000 shall be transferred by the  
18 agency from the fund to the Department of Labor and Industry  
19 to support and enhance apprenticeship programs across this  
20 Commonwealth.

21 (4) Beginning no later than the first full fiscal year  
22 after the notice in section 10 is published and each fiscal  
23 year thereafter, no more than \$50,000,000 shall be used by  
24 the agency for matching funds through the agency's work study  
25 program.

26 (5) Notwithstanding any provisions of law, uses of funds  
27 made available under this section shall be determined by the  
28 agency.

29 (f) Nonlapsing.--Money in the fund shall not lapse and shall  
30 be available in subsequent fiscal years to be used in accordance

1 with the provisions of this act.

2 (g) Administrative fees.--No more than 2% of the money in  
3 the fund may be used to cover administrative costs. For purposes  
4 of this section, administrative costs shall include marketing of  
5 the program throughout this Commonwealth.

6 (h) Insufficient funds.--If during any year there are  
7 insufficient funds available to provide scholarships or make the  
8 transfers required under this section, the agency shall pro rate  
9 the transfers and scholarships under sections 6 and 7.

10 Section 6. Scholarship for tuition and fees.

11 (a) Application.--The agency shall accept applications, in a  
12 form and manner as determined by the agency, from eligible  
13 students for tuition and fees.

14 (b) Scholarship at State-owned or State-related  
15 institution.--An eligible student may receive a scholarship at a  
16 State-owned institution or State-related institution for the  
17 academic year in an amount not to exceed the outstanding tuition  
18 and fees after Federal, State and institution grants have been  
19 applied if the eligible student:

20 (1) has a total annual household income that does not  
21 exceed \$110,000; and

22 (2) is enrolled full-time.

23 (c) Scholarship at community colleges.--An eligible student  
24 may receive a scholarship at a community college for the  
25 academic year in an amount not to exceed the outstanding tuition  
26 and fees after Federal, State and institution grants have been  
27 applied if, at a minimum, the eligible student is enrolled full-  
28 time.

29 (d) Review and approval.--

30 (1) The agency shall review all applications submitted

1 under this section.

2 (2) The agency may approve an application if the  
3 application meets the requirements under subsection (b) or  
4 (c) and if the eligible student submitting the application  
5 meets the requirements of this act.

6 (e) Distribution of scholarship.--Once an eligible student  
7 has been approved for a scholarship for tuition and fees under  
8 this section, the agency shall, upon receipt of an outstanding  
9 balance from an institution of higher education, pay the  
10 outstanding tuition and fee balance owed by the eligible student  
11 directly to the institution of higher education.

12 (f) Limitation on scholarship.--Notwithstanding any  
13 provision of this act to the contrary, the agency may not issue  
14 any scholarship in excess of the outstanding balance for tuition  
15 and fees received from an institution of higher education.

16 (g) Renewal.--

17 (1) A scholarship for tuition and fees awarded to an  
18 eligible student shall not exceed one academic year.

19 (2) The agency shall create an application to allow  
20 previously approved eligible students to recertify their  
21 eligibility.

22 (3) An eligible student at a State-owned institution or  
23 State-related institution who has not exceeded the limitation  
24 in subsection (i) may reapply for the scholarship for tuition  
25 and fees if the eligible student:

26 (i) Is enrolled full-time.

27 (ii) Is making satisfactory academic progress as  
28 determined by the institution of higher education, unless  
29 the eligible student is in the first year of college.

30 (iii) While attending a State-owned institution or

1 State-related institution, has a total annual household  
2 income that does not exceed \$110,000.

3 (4) An eligible student at a community college who has  
4 not exceeded the limitation in subsection (i) may reapply for  
5 the scholarship for tuition and fees if the eligible student:

6 (i) Is enrolled full-time or part-time.

7 (ii) Is making satisfactory academic progress,  
8 unless the eligible student is in the first year of  
9 college.

10 (h) Continued eligibility.--An eligible student shall be  
11 continuously enrolled in the institution of higher education for  
12 the academic year which the eligible student received a  
13 scholarship for tuition and fees. If the eligible student is not  
14 continuously enrolled in the institution of higher education,  
15 the agency, in its discretion, may deny renewal under subsection  
16 (g).

17 (i) Limitation to scholarship.--

18 (1) An eligible student may not receive a scholarship  
19 for tuition and fees if the eligible student:

20 (i) While attending a community college, the  
21 eligible student has completed no more than four academic  
22 years or has earned an associate's degree, except as  
23 provided in paragraph (2).

24 (ii) While attending a State-owned institution or  
25 State-related institution, the eligible student has  
26 completed four academic years or has earned a bachelor's  
27 degree.

28 (2) A student who is otherwise eligible for a  
29 scholarship under this section may not be eligible for a  
30 scholarship for tuition and fees if the local sponsor has not



1 made the payment required under section 1913-A(a)(2) of the  
2 act of March 10, 1949 (P.L.30, No.14), known as the Public  
3 School Code of 1949.

4 (3) An eligible student may receive a scholarship for no  
5 more than four academic years at an institution of higher  
6 education.

7 Section 7. Scholarship for room and board.

8 (a) Application.--The agency shall accept applications, in a  
9 form and manner as determined by the agency, from eligible  
10 students who qualify under subsections (b) and (c).

11 (b) Scholarship at State-owned institution or State-related  
12 institution.--An eligible student at a State-owned or State-  
13 related institution may receive a need-based scholarship for  
14 room and board for the academic year after Federal, State and  
15 institution grants have been applied if the eligible student:

16 (1) has a total annual household income that does not  
17 exceed \$48,000; and

18 (2) is enrolled full-time.

19 (c) Scholarship at community college.--An eligible student  
20 at a community college may receive a need-based scholarship for  
21 room and board for the academic year after Federal, State and  
22 institution grants have been applied if the eligible student:

23 (1) has a total annual household income that does not  
24 exceed \$48,000; and

25 (2) is enrolled full-time or part-time.

26 (d) Review and approval.--

27 (1) The agency shall review all applications submitted  
28 under this section.

29 (2) The agency may approve an application if the  
30 application meets the requirements under subsection (b) or

1 (c) and if the eligible student meets the requirements of  
2 this act.

3 (e) Distribution of scholarship at State-owned institution  
4 or State-related institution.--If an eligible student has been  
5 approved for a scholarship for room and board under subsection  
6 (b), the agency shall, upon receipt of an outstanding balance  
7 from the State-owned or State-related institution of higher  
8 education, pay the outstanding balance for room and board owed  
9 by the eligible student directly to the institution.

10 (f) Distribution of scholarship at community colleges.--If  
11 an eligible student has been approved for a scholarship for room  
12 and board under subsection (c), the agency shall pay a  
13 scholarship for room and board in a manner decided by the  
14 agency.

15 (g) Limitation on scholarship.--

16 (1) Except as provided in paragraph (2) and  
17 notwithstanding any provision of this act to the contrary,  
18 the agency may not issue a scholarship for room and board in  
19 excess of the outstanding balance received from a State-owned  
20 institution or State-related institution.

21 (2) The agency may issue a scholarship for room and  
22 board in excess of the outstanding balance received from a  
23 community college.

24 (3) A student who is otherwise eligible for a  
25 scholarship under this section may not be eligible for a  
26 scholarship for tuition and fees if the local sponsor as  
27 defined under section 1901-A(2) of the act of March 10, 1949  
28 (P.L.30, No.14), known as the Public School Code of 1949, has  
29 not made the payment required under section 1913-A(a)(2) of  
30 the Public School Code of 1949.

1 (h) Renewal.--

2 (1) A scholarship for tuition and fees awarded to an  
3 eligible student shall not exceed one academic year.

4 (2) The agency shall create an application to allow  
5 previously approved eligible students to recertify the  
6 eligible student's eligibility.

7 (3) An eligible student who has not exceeded the  
8 limitation in subsection (j) may reapply for the scholarship  
9 for room and board if the student is enrolled full-time at a  
10 State-owned institution or State-related institution or is  
11 enrolled full-time or part-time at a community college and:

12 (i) is making satisfactory academic progress, unless  
13 the eligible student is in the first year of college; and

14 (ii) has a total annual household income that does  
15 not exceed \$48,000.

16 (i) Continued eligibility.--An eligible student shall be  
17 continuously enrolled in the institution of higher education for  
18 the academic year for which the eligible student received a  
19 scholarship for room and board. If an eligible student is not  
20 continuously enrolled in the institution of higher education,  
21 the agency, in its discretion, may deny renewal under subsection  
22 (h).

23 (j) Limitation to eligibility.--

24 (1) An eligible student may not receive a scholarship  
25 for room and board if the eligible student:

26 (i) Except as provided in paragraph (2) has  
27 completed four academic years or has earned an  
28 associate's degree while attending a community college.

29 (ii) Has completed four academic years or has earned  
30 a bachelor's degree while attending a State-owned

1 institution or State-related institution.

2 (2) An eligible student may receive a scholarship for  
3 two academic years at a State-owned institution or State-  
4 related institution if eligibility under paragraph (1)(i) has  
5 been exhausted.

6 Section 8. Eligibility for adult reeducation.

7 (a) Application.--The agency shall accept applications, in a  
8 form and manner as determined by the agency, from an eligible  
9 adult learner for aid to assist with education expenses.

10 (b) Eligibility.--An eligible adult learner may receive  
11 assistance for aid for adult reeducation programs for the  
12 academic year the eligible adult learner:

13 (1) has a total annual household income that does not  
14 exceed \$110,000; and

15 (2) has applied for and been accepted into an adult  
16 reeducation program or adult reeducation certificate program,  
17 or is enrolled full time or part time in an institution of  
18 higher education.

19 (c) Pennsylvania Targeted Industry Cluster Certificate  
20 Scholarship Program.--Notwithstanding any provisions of law, the  
21 agency may use money allocated for adult reeducation for the  
22 Pennsylvania Targeted Industry Cluster Certificate Scholarship  
23 Program.

24 (d) Review and approval.--

25 (1) The agency shall review all applications submitted  
26 under this section.

27 (2) The agency may approve an application if the  
28 application meets the requirements under subsection (b) and  
29 if the eligible adult learner meets the requirements of this  
30 section.

1 (e) Priority.--When reviewing an application for aid under  
2 this section, the agency shall prioritize aid for programs that  
3 lead to an industry-recognized credential that is articulated  
4 with college credit. The agency shall annually determine and  
5 post on its publicly accessible Internet website industry-  
6 recognized credentialed programs which qualify for aid priority  
7 under this section.

8 (f) Distribution of aid.--If an eligible adult learner has  
9 been approved for aid under this section, the agency shall, upon  
10 receipt of an outstanding balance from an institution of higher  
11 education, pay the outstanding balance owed by an adult learner  
12 directly to the institution of higher education.

13 (g) Limitation on aid.--Notwithstanding any provision of  
14 this act, the agency may not issue any aid in excess of the  
15 outstanding balance received from an institution of higher  
16 education.

17 (h) Renewal.--

18 (1) Aid awarded to an eligible adult learner shall not  
19 exceed one academic year.

20 (2) The agency shall create an application to allow  
21 previously approved eligible adult learners to recertify  
22 their eligibility.

23 (3) An eligible adult learner who has not exceeded the  
24 limitation in subsection (i) may reapply for aid if:

25 (i) Enrolled as a full-time or part-time student at  
26 an institution of higher education or a certificate  
27 program approved by the agency.

28 (ii) Total annual household income does not exceed  
29 \$110,000.

30 (i) Limitation to eligibility.--An eligible adult learner

1 may not receive aid if the eligible adult learner:

2 (1) Has:

3 (i) completed no more than four academic years while  
4 attending a community college;

5 (ii) earned an associate's degree while attending a  
6 community college; or

7 (iii) completed an industry-recognized credential  
8 for which the eligible adult learner was enrolled in  
9 order to qualify for aid.

10 (2) Has completed:

11 (i) four academic years or has earned a bachelor's  
12 degree while attending a State-owned institution or  
13 State-related institution; or

14 (ii) industry-recognized credential for which the  
15 eligible adult learner was enrolled in order to qualify  
16 for aid.

17 Section 9. Annual report.

18 Beginning one year after the first scholarship is awarded  
19 under this act, the agency shall provide the Governor and the  
20 chairperson and minority chairperson of the Appropriations  
21 Committee of the Senate, the chairperson and minority  
22 chairperson of the Appropriations Committee of the House of  
23 Representatives, the chairperson and minority chairperson of the  
24 Education Committee of the Senate and the the chairperson and  
25 minority chairperson of Education Committee of the House of  
26 Representatives with a report which includes the following:

27 (1) The total number of students served by the program.

28 (2) A breakdown by race, gender, ethnicity and  
29 socioeconomic demographic for all students served by the  
30 program, if known.

1           (3) The total number of scholarships awarded and the  
2 average amount awarded.

3           (4) A year-over-year comparison of the net total costs  
4 at all institutions of higher education in this Commonwealth  
5 which shall be used to evaluate the adequacy and success of  
6 the program in lowering college costs.

7           (5) Recommendations, if any, for improving access and  
8 affordability of higher education.

9           (6) Any other information.

10 Section 10. Notice.

11       The Secretary of the Commonwealth shall transmit notice to  
12 the Legislative Reference Bureau for publication in the  
13 Pennsylvania Bulletin when the General Assembly appropriates  
14 money necessary to effectuate this act.

15 Section 11. Effective date.

16       This act shall take effect as follows:

17           (1) The following provisions shall take effect  
18 immediately:

19               (i) This section.

20               (ii) Section 10.

21           (2) The remainder of this act shall take effect upon  
22 publication of the notice under section 10.