

SENATE BILL 48

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 4, Part 9, relative to postsecondary
financial assistance from net lottery proceeds.

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

SECTION 1. Tennessee Code Annotated, Section 49-4-926, is amended by deleting the section in its entirety and by substituting instead the following:

§ 49-4-926.

(a) Notwithstanding any provision of this part to the contrary, a student who is a Tennessee citizen and a dependent child of a military parent, shall be eligible for a Tennessee HOPE scholarship as an entering freshman at any eligible postsecondary institution, if such student:

(1) Is not ineligible for the scholarship under § 49-4-904;

(2) Meets the requirements of:

(A) Section 49-4-907(3), if the student graduated from:

(i) A school operated by the government of the United States;

(ii) A school that is accredited by a regional accrediting association; or

(iii) A school that is accredited by an accrediting association recognized by the foreign nation in which the school is located;

(B) Section 49-4-908(2)(A), if the student graduated from a high school other than a school specified in subdivision (a)(2)(A) or the student completed high school in a home school; or

(C) Section 49-4-908(2)(B), if the student received a GED;

(3) Is admitted to and enrolls in an eligible postsecondary institution no later than sixteen (16) months after completion of high school or receipt of a GED;

(4) Qualifies to be classified as an in-state student under the rules of the Tennessee board of regents or the University of Tennessee system at time of enrollment in the eligible postsecondary institution; and

(5) Makes application for the scholarship.

(b) As used in this section:

(1) "Dependent child" means a natural or adopted child or stepchild whom a military parent claims as a dependent for federal income tax purposes; provided, however, that such child is under twenty-one (21) years of age, and resides in another state or nation only while the military parent is engaged in active military service, on full-time national guard duty, or actively employed by the department of defense;

(2) "Military parent" means a parent of a dependent child who is:

(A) A member of the armed forces engaged in active military service of the United States and stationed on active duty outside of Tennessee;

(B) A member of the Tennessee national guard engaged in active military service of the United States and stationed on active duty outside of Tennessee; or

(C) A full-time civilian employee of the department of defense working outside of Tennessee; and

(3) "Tennessee national guard" means any federally recognized unit of the Tennessee army and air national guard.

SECTION 2.

(a) A student may apply for the retroactive award of a Tennessee HOPE scholarship for any semester of the 2004-2005, 2005-2006, 2006-2007, 2007-2008 or 2008-2009 academic years in which the student would have qualified for a scholarship had the provisions of this act been in effect during such academic year. TSAC shall award the scholarship retroactively, if the student meets all applicable requirements for the scholarship.

(b) A Tennessee HOPE scholarship awarded to a student who qualified for the scholarship under the statute as it existed prior to the effective date of this act, including a scholarship awarded to a student who has been notified of its award but has not yet enrolled in a eligible postsecondary institution, shall not be withdrawn as the result of the amendment to § 49-4-926 made by this act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.