

Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

## HOUSE ENROLLED ACT No. 1278

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AN ACT to amend the Indiana Code concerning higher education.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 20-12-21-6.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 6.3. A student who:**

- (1) is a resident of Indiana:**
  - (A) serving in the armed forces of the United States; and**
  - (B) stationed outside Indiana;**
- (2) meets the requirements of section 6 of this chapter, except the requirement of enrolling at an approved institution of higher learning located in Indiana; and**
- (3) enrolls in an educational institution that:**
  - (A) provides an organized two (2) year or longer program of collegiate grade directly creditable toward an associate's or baccalaureate degree;**
  - (B) is operated either by the state in which the educational institution's primary campus is located or operated not-for-profit; and**
  - (C) is accredited by a recognized regional accrediting agency;**

**is eligible to receive a state higher education award under this chapter.**

SECTION 2. IC 20-12-21-7, AS AMENDED BY P.L.186-1999, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2001]: Sec. 7. (a) For each academic year, first-year higher education awards shall be issued to as many qualified persons as the then current biennial appropriation allows. Those applicants who are least able to provide funds for the cost of education shall be given priority in the awarding of higher education award funds.

(b) A higher education award for a student in a program leading to a baccalaureate degree may be renewed for a total of three (3) academic years following the academic year of the first award or until such earlier time as the student receives a degree normally obtained in four (4) academic years. A higher education award for a student in a program leading to a technical certificate or an associate degree may be renewed for the number of academic years normally required to obtain a certificate or degree in the student's program. The commission may grant such a renewal only upon application and only upon its finding that:

- (1) the applicant has successfully completed the work of a preceding year;
- (2) the applicant remains domiciled in the state;
- (3) based on the financial requirement set forth in section 6(a)(3) of this chapter, the recipient's financial situation continues to warrant an award; and
- (4) the applicant is eligible under section 6(b) and 6(c) of this chapter.

(c) Out of funds available after commitments have been met under subsections (a) and (b), awards shall be issued to persons who have successfully completed one (1), but not more than three (3), academic years in approved institutions of higher learning, if they meet the eligibility requirements of section 6, ~~or~~ 6.1, ~~or~~ 6.3 of this chapter. Such awards shall be handled on the same basis as renewals under subsection (b).

(d) A higher education award issued under this section extends to all educational costs for the academic year for which the award is made, but only to the extent of current financial need (as measured under section 6(a)(3) of this chapter) or the maximum fees regularly assessed to resident undergraduates at any Indiana public institution of higher learning, as determined annually by the commission, whichever is smaller.

SECTION 3. IC 20-12-21-15, AS AMENDED BY P.L.186-1999, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 15. The commission shall administer the hereby created freedom of choice grant program. A person shall be eligible for a grant under this program if:

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- (a) (1) the person is qualified for a higher education award under the terms of sections 6, ~~or 6.1~~, **or 6.3** of this chapter; even though lack of funds prevents the actual award or grant;
- (b) (2) the person has a financial need as determined pursuant to this chapter, and the rules and regulations of the commission in excess of such award; and
- (c) (3) the person will attend an approved institution of higher learning as defined in section 3(2)(A), 3(2)(B), or 3(2)(C) of this chapter, which is operated privately and not administered or controlled by any state agency or entity.

SECTION 4. [EFFECTIVE JULY 1, 2001] (a) **The total amount awarded by the state student assistance commission to students described in IC 20-12-21-6.3, as added by this act, for the state fiscal year beginning July 1, 2001, and ending June 30, 2002, may not exceed two hundred forty thousand dollars (\$240,000).**

(b) **This SECTION expires June 30, 2002.**

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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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