

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

*As Engrossed: H3/20/13*  
**A Bill**

HOUSE BILL 2076

By: Representative Bell

**For An Act To Be Entitled**

AN ACT TO PROMOTE THE SUSTAINABILITY OF THE ARKANSAS  
ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; TO SUPPORT  
STATE GOALS FOR INCREASING THE COLLEGE COMPLETION  
RATE FOR STUDENTS RECEIVING AN ACADEMIC CHALLENGE  
SCHOLARSHIP; AND FOR OTHER PURPOSES.

**Subtitle**

TO PROMOTE THE SUSTAINABILITY OF THE  
ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP  
PROGRAM AND TO SUPPORT STATE GOALS FOR  
INCREASING THE COLLEGE COMPLETION RATE  
FOR STUDENTS RECEIVING AN ACADEMIC  
CHALLENGE SCHOLARSHIP.

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

SECTION 1. Arkansas Code § 6-85-204, definitions for the Arkansas Academic Challenge Scholarship, is amended to add an additional subsection to read as follows:

(23) "Immediate family" means a person's spouse, child, parent or guardian, sibling, grandparent, and grandchild whether related by blood, adoption, or marriage;

SECTION 2. Arkansas Code § 6-85-212(e)(2)(A), concerning the amount of aggregate scholarship award amounts for nontraditional students, is amended to read as follows:

(2)(A) The department shall award an aggregate amount of



scholarship awards to nontraditional students ~~beginning with the 2010-2011 academic year of:~~

(i) Twelve ~~twelve~~ million dollars (\$12,000,000);  
plus

(ii) Any funding available under § 6-85-222.

SECTION 3. Arkansas Code Title 6, Chapter 85, Subchapter 2, is amended to add an additional section to read as follows:

6-85-222. Repayment of scholarship.

(a) A recipient under this subchapter shall become immediately liable to the Department of Higher Education for the sum of all awards made to that recipient under the program, without interest, if the Department of Higher Education determines that the recipient:

(1) Is no longer enrolled in an approved institution of higher education; and

(2) Has not obtained:

(A) A certificate from a qualified certificate program;

(B) An associate's degree;

(C) A nursing degree; or

(D) A baccalaureate degree.

(b) A recipient shall annually verify to the Department of Higher Education his or her:

(1) Enrollment status in a qualified certificate program, associate program, or baccalaureate degree program; and

(2) Current home and work address if he or she is employed; and

(3) Any additional information requested by the Department of Higher Education for the purpose of contacting the recipient concerning the requirements of this section.

(c)(1) Subject to a waiver or deferral under subsection (d) of this section, the Department of Higher Education shall collect the amount due from the student under this section.

(2)(A) The amount owed under this section shall be set off from any state tax refund due the student.

(B) The Department of Higher Education shall comply with the provisions of § 26-36-301 et seq. for collection of the debt through a setoff.

(d) The Department of Higher Education may waive or defer all or part of repayment under this section in the event of:

(1) The Department of Higher Education's grant of a leave of absence for the recipient under § 6-85-210;

(2) The recipient's loss of employment;

(3) The death of the recipient or a member of the recipient's immediate family;

(4) A medical condition of the recipient or a member of the recipient's immediate family:

(A) That on the basis of a physician's good-faith judgment necessitates the recipient or the recipient's immediate family member to be hospitalized or receive outpatient or home-based medical care or recuperation until released by the attending physician; or

(B) From which death is possible or imminent; or

(5) Another cause approved by the Department of Higher Education.

(e)(1)(A) The Arkansas Higher Education Coordinating Board shall promulgate rules to implement this section, including without limitation a standard form a student shall sign before accepting the scholarship award that acknowledges the requirements of this section.

(f) Except for repayments of scholarships awarded to nursing school recipients under § 6-85-213, all amounts repaid under this section shall be:

(1) Maintained in a trust account and accounted for in the same manner as the net proceeds from the state lottery that the Department of Higher Education receives under § 23-115-801; and

(2) Used only to award scholarships to nontraditional students under this subchapter.

*/s/Bell*