
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 244 Session of
2019

INTRODUCED BY ROEBUCK, HARRIS, MURT, McCLINTON, STURLA,
YOUNGBLOOD, SCHLOSSBERG, ULLMAN, HILL-EVANS, KINSEY, SOLOMON,
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PASHINSKI, CALTAGIRONE, DALEY, McNEILL, MULLINS, FITZGERALD,
CEPHAS, GAINNEY, T. DAVIS AND BURGOS, FEBRUARY 1, 2019

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 1, 2019

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

1 Public School Code of 1949, or the act of August 24, 1963
2 (P.L.1132, No.484), known as the Community College Act of 1963.

3 "Eligible adult learner." An individual who:

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

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

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

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

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

16 (6) Has completed a Free Application For Federal Student
17 Aid (FAFSA).

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

20 "Eligible student." An individual who:

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

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

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

29 (4) Has graduated from high school or an equivalent
30 approved by the Department of Education within the previous

1 five years.

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

4 (6) Has completed a Free Application For Federal Student
5 Aid (FAFSA).

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

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

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

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

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

18 (1) A community college.

19 (2) A State-owned institution.

20 (3) A State-related institution.

21 (4) The Thaddeus Stevens College of Technology.

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

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

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

29 "State-owned institution." An institution which is part of
30 the State System of Higher Education under Article XX-A of the

1 Public School Code of 1949 and all branches and campuses of the
2 institution.

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

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

13 Section 3. Promise Program.

14 There is established within the agency a program to be known
15 as the Promise Program.

16 Section 4. Procedure.

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

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

21 Section 5. Promise Fund.

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

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

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

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

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

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

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

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

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

10 (i) In accordance with section 8.

11 (ii) In the following amounts:

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

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

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

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

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

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

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

1 (f) Nonlapsing.--Money in the fund shall not lapse and shall
2 be available in subsequent fiscal years to be used in accordance
3 with the provisions of this act.

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

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

12 Section 6. Scholarship for tuition and fees.

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

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

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

24 (2) is enrolled full-time.

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

1 (d) Review and approval.--

2 (1) The agency shall review all applications submitted
3 under this section.

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

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

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

18 (g) Renewal.--

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

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

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

28 (i) Is enrolled full-time.

29 (ii) Is making satisfactory academic progress as
30 determined by the institution of higher education, unless

1 the eligible student is in the first year of college.

2 (iii) While attending a State-owned institution or
3 State-related institution, has a total annual household
4 income that does not exceed \$110,000.

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

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

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

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

19 (i) Limitation to scholarship.--

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

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

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

30 (2) A student who is otherwise eligible for a

1 scholarship under this section may not be eligible for a
2 scholarship for tuition and fees if the local sponsor has not
3 made the payment required under section 1913-A(a)(2) of the
4 act of March 10, 1949 (P.L.30, No.14), known as the Public
5 School Code of 1949.

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

9 Section 7. Scholarship for room and board.

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

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

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

20 (2) is enrolled full-time.

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

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

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

28 (d) Review and approval.--

29 (1) The agency shall review all applications submitted
30 under this section.

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

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

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

17 (g) Limitation on scholarship.--

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

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

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

1 not made the payment required under section 1913-A(a)(2) of
2 the Public School Code of 1949.

3 (h) Renewal.--

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

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

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

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

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

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

25 (j) Limitation to eligibility.--

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

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

1 (ii) Has completed four academic years or has earned
2 a bachelor's degree while attending a State-owned
3 institution or State-related institution.

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

8 Section 8. Eligibility for adult reeducation.

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

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

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

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

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

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) and

1 if the eligible adult learner meets the requirements of this
2 section.

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

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

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

19 (h) Renewal.--

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

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

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

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

30 (ii) Total annual household income does not exceed

1 \$110,000.

2 (i) Limitation to eligibility.--An eligible adult learner
3 may not receive aid if the eligible adult learner:

4 (1) Has:

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

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

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

12 (2) Has completed:

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

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

19 Section 9. Annual report.

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

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

30 (2) A breakdown by race, gender, ethnicity and

1 socioeconomic demographic for all students served by the
2 program, if known.

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

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

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

11 (6) Any other information.

12 Section 10. Notice.

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

17 Section 11. Effective date.

18 This act shall take effect as follows:

19 (1) The following provisions shall take effect
20 immediately:

21 (i) This section.

22 (ii) Section 10.

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