

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1150 Session of 2024

INTRODUCED BY MARTIN, K. WARD, PITTMAN, AUMENT, ARGALL, PENNYCUICK, LANGERHOLC, LAUGHLIN, MASTRIANO, REGAN, STEFANO, VOGEL AND J. WARD, APRIL 26, 2024

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JULY 11, 2024

AN ACT

~~Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," establishing the Grow Pennsylvania Scholarship Grant Program; and imposing powers and duties on the Pennsylvania Higher Education Assistance Agency.~~

AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE LAWS RELATING THERETO," IN THE STATE SYSTEM OF HIGHER EDUCATION, FURTHER PROVIDING FOR DEFINITIONS AND PROVIDING FOR GROW PENNSYLVANIA MERIT SCHOLARSHIP PROGRAM; PROVIDING FOR INSTITUTIONS OF HIGHER EDUCATION, FOR GROW PENNSYLVANIA SCHOLARSHIP GRANT PROGRAM AND FOR INTERCOLLEGIATE ATHLETICS; IN READY-TO-SUCCEED SCHOLARSHIP, FURTHER PROVIDING FOR AGENCY; AND MAKING A REPEAL.

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

~~Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding an article to read:~~

ARTICLE XXVI M

1 GROW PENNSYLVANIA SCHOLARSHIP GRANT PROGRAM

2 Section 2601 M. Definitions.

3 The following words and phrases when used in this article
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Agency." The Pennsylvania Higher Education Assistance
7 Agency.

8 "Approved course of study." A program offered by an
9 institution of higher education that provides instruction in
10 agriculture, computer science, criminal justice, business,
11 education, special education, STEM education, engineering,
12 nursing, allied health, trades or other in demand occupations
13 approved by the agency in consultation with the Independent
14 Fiscal Office.

15 "Grant." A Grow Pennsylvania Scholarship Grant awarded under
16 this article.

17 "In demand occupation." A job that is in demand by employers
18 in this Commonwealth, requires a high level of skill and is
19 likely to provide family sustaining wages.

20 "Institution of higher education." Either of the following:

21 (1) An institution of higher learning that is located in
22 this Commonwealth and approved by the agency for enrollment
23 of grant recipients under the act of January 25, 1966 (1965
24 P.L.1546, No.541), referred to as the Higher Education
25 Scholarship Law.

26 (2) An institution of higher education established under
27 Article XIX G.

28 "Program." The Grow Pennsylvania Scholarship Grant Program
29 established under this article.

30 "STEM." Science, technology, engineering and mathematics.

1 ~~"Student." A resident of this Commonwealth who attends or is~~
2 ~~about to attend an institution of higher education.~~

3 ~~"Trade." A program offered by the Pennsylvania College of~~
4 ~~Technology and Thaddeus Stevens College of Technology.~~

5 ~~Section 2602 M. Grow Pennsylvania Scholarship Grant Program.~~

6 ~~The Grow Pennsylvania Scholarship Grant Program is~~
7 ~~established within the agency.~~

8 ~~Section 2603 M. Agency duties.~~

9 ~~The agency shall:~~

10 ~~(1) Administer the program and, in its sole discretion,~~
11 ~~award grants to students who submit a completed application~~
12 ~~and satisfy the eligibility criteria in paragraph (4). The~~
13 ~~agency shall develop an application form that students may~~
14 ~~use to apply for a grant. The application of a student under~~
15 ~~18 years of age must include the signature of a parent or~~
16 ~~guardian.~~

17 ~~(2) Use money appropriated for the purpose of awarding~~
18 ~~grants.~~

19 ~~(3) Award a grant to a student in an amount of \$5,000~~
20 ~~per academic year or a lesser amount if the total amount of~~
21 ~~Federal and State grants available to the student exceeds the~~
22 ~~educational cost as determined by the agency.~~

23 ~~(4) Establish eligibility criteria in order for a~~
24 ~~student to receive a grant. The criteria shall, at a minimum,~~
25 ~~include that a student must:~~

26 ~~(i) Be a resident of this Commonwealth as defined by~~
27 ~~the agency.~~

28 ~~(ii) Be enrolled in person in an approved course of~~
29 ~~study, except that a person may take occasional online~~
30 ~~courses.~~

1 ~~(iii) Enter into a written agreement with the agency~~

2 ~~to:~~

3 ~~(A) Satisfy all degree requirements and other~~
4 ~~requirements under this article.~~

5 ~~(B) Commence employment in this Commonwealth~~
6 ~~within one year after completion of an approved~~
7 ~~course of study culminating in a bachelor's or~~
8 ~~associate's degree. The employment must be in an in-~~
9 ~~demand occupation, as determined by the agency, for a~~
10 ~~period of 15 months for each academic year the~~
11 ~~student received a grant, unless the agency~~
12 ~~determines that there are extenuating circumstances.~~

13 ~~(C) Reimburse the Commonwealth the aggregate~~
14 ~~amount of a scholarship received under this article~~
15 ~~if the student fails to comply with clauses (A) and~~
16 ~~(B). The agency, in its discretion, may charge~~
17 ~~interest. For a student who partially satisfies the~~
18 ~~work requirement, the agency shall prorate the~~
19 ~~required reimbursement.~~

20 ~~(5) Monitor and verify a student's compliance with the~~
21 ~~agreement and enforce repayment of all grants for a student~~
22 ~~who does not comply with the provisions of this section,~~
23 ~~including use of all lawful collection procedures. Nothing~~
24 ~~under this paragraph shall be construed to require an~~
25 ~~institution of higher education to enforce any provision of~~
26 ~~this article relating to repayment of funds for failure to~~
27 ~~comply with the provisions of this section.~~

28 ~~Section 2604 M. Term of grant.~~

29 ~~A grant shall be for a maximum of four academic years.~~

30 ~~Section 2605 M. Grant priority.~~

1 ~~Grants shall be awarded on a first come, first served basis~~
2 ~~and in subsequent years first priority for awarding grants shall~~
3 ~~be given to renewal applicants.~~

4 ~~Section 2606 M. Limitations.~~

5 ~~The number of grants shall be limited to the amount of money~~
6 ~~appropriated to the agency for the program.~~

7 ~~Section 2607 M. Termination.~~

8 ~~(a) General rule. If a student terminates enrollment in the~~
9 ~~approved course of study during the academic year or prior to~~
10 ~~completion of the approved course of study, the institution of~~
11 ~~higher education shall notify the agency in writing and shall~~
12 ~~return any unused portion of the grant to the agency.~~

13 ~~(b) Construction. Nothing in this section shall be~~
14 ~~construed to change a student's eligibility for a grant if the~~
15 ~~student terminates enrollment in one approved course of study~~
16 ~~and enrolls in a different course of study.~~

17 ~~Section 2608 M. Reimbursed and returned money.~~

18 ~~Money reimbursed and returned under sections 2603 M and 2607-~~
19 ~~M shall be used to provide additional grants.~~

20 ~~Section 2609 M. Exception.~~

21 ~~The agency shall postpone the work requirement under section~~
22 ~~2603 M for extenuating circumstances, as determined by the~~
23 ~~agency, or if the student enrolls in a higher level degree~~
24 ~~program. A student that enrolls in a higher level degree program~~
25 ~~must provide the agency with documentation showing continual~~
26 ~~status as a full time student in order to be given a~~
27 ~~postponement by the agency under this section.~~

28 ~~Section 2610 M. Taxation.~~

29 ~~Grants received by a student shall not be considered taxable~~
30 ~~income for purposes of Article III of the act of March 4, 1971-~~

1 ~~(P.L.6, No.2), known as the Tax Reform Code of 1971.~~

2 ~~Section 2611 M. Construction.~~

3 ~~Nothing in this article shall be construed to disqualify an~~
4 ~~institution of higher education from receipt of money under the~~
5 ~~act of July 18, 1974 (P.L.483, No.174), known as The~~
6 ~~Institutional Assistance Grants Act.~~

7 ~~Section 2612 M. Duties of Independent Fiscal Office.~~

8 ~~The Independent Fiscal Office shall provide advice to the~~
9 ~~agency with regard to the identification of in demand~~
10 ~~occupations. No later than December 31, 2024, and each year~~
11 ~~thereafter, the Independent Fiscal Office shall develop and~~
12 ~~transmit a list of in demand occupations to the agency. In the~~
13 ~~development of the list of in demand occupations, the~~
14 ~~Independent Fiscal Office shall consult with the Department of~~
15 ~~Labor and Industry, business and industry trade associations,~~
16 ~~employee organizations and other parties that may provide~~
17 ~~information beneficial to the development of the list.~~

18 ~~Section 2613 M. Public outreach.~~

19 ~~The system shall actively advertise and market the program to~~
20 ~~resident students and include information about the program on~~
21 ~~the home page of the system's publicly accessible Internet~~
22 ~~website.~~

23 ~~Section 2614 M. Report.~~

24 ~~The agency shall prepare and submit to the Governor and the~~
25 ~~General Assembly no later than December 31, 2025, and no less~~
26 ~~than every three years thereafter, a report detailing the~~
27 ~~operation of the program. The report shall, at a minimum,~~
28 ~~include:~~

29 ~~(1) A list of the in demand occupation for what grants~~
30 ~~may be sought.~~

1 INSTITUTION THAT PROVIDES INSTRUCTION IN AGRICULTURE, COMPUTER
2 SCIENCE, BUSINESS, EDUCATION, SPECIAL EDUCATION, STEM EDUCATION,
3 ENGINEERING, NURSING, ALLIED HEALTH, CRIMINAL JUSTICE OR OTHER
4 PROGRAMS ALIGNED TO IN-DEMAND OCCUPATIONS APPROVED BY THE
5 AGENCY.

6 [(1.1)] "BOARD" SHALL MEAN THE BOARD OF GOVERNORS OF THE
7 STATE SYSTEM OF HIGHER EDUCATION.

8 "CAMPUS POLICE" SHALL MEAN ALL LAW ENFORCEMENT PERSONNEL
9 EMPLOYED BY THE SYSTEM WHO HAVE SUCCESSFULLY COMPLETED A CAMPUS
10 POLICE COURSE OF TRAINING APPROVED UNDER 53 PA.C.S. CH. 21
11 SUBCH. D (RELATING TO MUNICIPAL POLICE EDUCATION AND TRAINING).

12 [(2)] "CHANCELLOR" SHALL MEAN THE CHIEF EXECUTIVE OFFICER OF
13 THE STATE SYSTEM OF HIGHER EDUCATION.

14 [(3)] "COALITION BARGAINING" SHALL MEAN TWO (2) OR MORE
15 EMPLOYERS BARGAINING JOINTLY WITH ALL OF THEIR EMPLOYEES IN A
16 PARTICULAR CATEGORY OR BARGAINING UNIT SO THAT ONE COLLECTIVE
17 PROCESS WOULD DETERMINE THE CONDITIONS OF EMPLOYMENT FOR ALL
18 EMPLOYERS IN THE APPROPRIATE UNITS INVOLVED.

19 [(4)] "COMMISSION" SHALL MEAN THE PRESIDENTS OF THE SEVERAL
20 INSTITUTIONS.

21 [(4.1)] "COMMONWEALTH UNIVERSITY OF PENNSYLVANIA" SHALL MEAN
22 THE INSTITUTION COMPRISED OF BLOOMSBURG UNIVERSITY OF
23 PENNSYLVANIA, LOCK HAVEN UNIVERSITY OF PENNSYLVANIA AND
24 MANSFIELD UNIVERSITY OF PENNSYLVANIA AS CONSOLIDATED UNDER
25 SECTION 2002-A.

26 [(5)] "COUNCIL" SHALL MEAN THE COUNCIL OF TRUSTEES OF THE
27 INDIVIDUAL INSTITUTIONS.

28 [(6)] "DEFERMENT" SHALL MEAN ANY AUTHORIZED DELAY IN THE
29 PAYMENT BY A STUDENT OF ALL OR PART OF HIS TUITION FEE, CHARGES
30 FOR ROOM AND BOARD, APPLICATION FEE, STUDENT ACTIVITY FEE, OR

1 ANY OTHER CHARGE OR FEE.

2 [(6.1)] "EDUCATION RECORD" SHALL HAVE THE SAME MEANING AS IN
3 THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (PUBLIC
4 LAW 90-247, 20 U.S.C. § 1232G). ((6.1) ADDED JULY 1, 2020,
5 P.L.558, NO.50)

6 [(7)] "EMPLOYER" SHALL MEAN THE BOARD OF GOVERNORS OF THE
7 STATE SYSTEM OF HIGHER EDUCATION AS THE SUCCESSOR EMPLOYER TO
8 THE COMMONWEALTH OF PENNSYLVANIA.

9 [(8)] "GRADUATE ASSISTANT" MEANS A GRADUATE STUDENT
10 APPOINTED BY THE PRESIDENT AND ASSIGNED TO A FACULTY OR STAFF
11 MEMBER TO ASSIST IN RESEARCH, INSTRUCTION AND OTHER RELATED
12 PROFESSIONAL DUTIES.

13 "GROUNDS" SHALL MEAN ALL LANDS AND BUILDINGS OWNED,
14 CONTROLLED, LEASED OR MANAGED BY THE SYSTEM AND ALL HIGHWAYS,
15 TRAFFICWAYS AND BICYCLE AND PEDESTRIAN FACILITIES THAT TRAVERSE
16 OR ABUT SUCH LANDS AND BUILDINGS.

17 [(9)] "HIGHER EDUCATION" SHALL INCLUDE ANY ORGANIZED PROGRAM
18 OF INSTRUCTION, RESEARCH OR SERVICE PRIMARILY CONCERNED WITH A
19 FIELD OF ORGANIZED KNOWLEDGE, RELATED THEORY, AND ASSOCIATED
20 PRACTICE OR APPLICATION OF SKILLS AND WHICH LEADS TO A DEGREE;
21 THAT IS, THE WORK IS CREDITABLE TOWARD A DEGREE.

22 "IN-DEMAND OCCUPATION" SHALL MEAN A JOB THAT IS IN DEMAND BY
23 EMPLOYERS IN THIS COMMONWEALTH, REQUIRES A HIGH LEVEL OF SKILL
24 AND IS LIKELY TO PROVIDE FAMILY-SUSTAINING WAGES.

25 [(9.1)] "INITIAL MEMBER" SHALL MEAN A TRUSTEE SERVING ON THE
26 COUNCIL OF TRUSTEES AS OF JUNE 30, 2022, FOR AN INSTITUTION
27 CONSOLIDATED UNDER SECTION 2002-A THAT HAS BEEN NOMINATED AND
28 APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE.

29 [(10)] "INSTITUTION" SHALL MEAN EACH OF THE STATE-OWNED
30 COLLEGES AND UNIVERSITY ON THE EFFECTIVE DATE HEREOF, OR

1 HEREAFTER CREATED, AND INCLUDING ITS PERSONNEL, AND ITS PHYSICAL
2 PLANT, INSTRUCTIONAL EQUIPMENT, RECORDS AND ALL OTHER PROPERTY
3 THEREOF.

4 [(10.1)] "INTEGRATED COUNCIL" SHALL MEAN EACH OF THE
5 FOLLOWING:

6 (1) THE COUNCIL OF TRUSTEES OF COMMONWEALTH UNIVERSITY OF
7 PENNSYLVANIA.

8 (2) THE COUNCIL OF TRUSTEES OF PENNSYLVANIA WESTERN
9 UNIVERSITY.

10 "MAINTENANCE PROJECTS" SHALL MEAN THOSE ACTIVITIES,
11 MATERIALS, LABOR AND CONTRACTS NECESSARY TO REPLACE, RESTORE,
12 REFURBISH OR ENHANCE REAL PROPERTY WHICH DO NOT ALTER THE
13 ARCHITECTURAL OR ENGINEERING CHARACTERISTICS OF THE STRUCTURE,
14 AS FOLLOWS: PAINTING; WINDOW REPAIR AND REPLACEMENT; ROOF REPAIR
15 AND REPLACEMENT; REPOINTING AND MASONRY REPAIR; DOWNSPOUT AND
16 GUTTERS; LANDSCAPING; ROADWAYS, PARKING FACILITIES, TRACK AND
17 ATHLETIC COURT RESURFACING AND RECONSTRUCTION; SIDEWALK AND
18 CURBING RECONSTRUCTION AND REPLACEMENT; ASBESTOS ABATEMENT (IN
19 ACCORDANCE WITH ALL FEDERAL AND STATE STATUTES AND REGULATIONS);
20 CAULKING AND INSULATION; AND REPLACEMENT, RECONSTRUCTION AND
21 CONSTRUCTION OF NON-LOAD-BEARING INTERIOR WALLS. NO SUCH PROJECT
22 SHALL AFFECT THE STRUCTURAL INTEGRITY OF ANY EXISTING FACILITY
23 OR UTILITY SYSTEM.

24 "MERIT SCHOLARSHIP" SHALL MEAN THE WAIVER OF AN AMOUNT EQUAL
25 TO THE DIFFERENTIAL BETWEEN TUITION FOR A RESIDENT AND
26 NONRESIDENT STUDENT.

27 [(10.2)] "PENNSYLVANIA WESTERN UNIVERSITY" SHALL MEAN THE
28 INSTITUTION COMPRISED OF CALIFORNIA UNIVERSITY OF PENNSYLVANIA,
29 CLARION UNIVERSITY OF PENNSYLVANIA AND EDINBORO UNIVERSITY OF
30 PENNSYLVANIA AS CONSOLIDATED UNDER SECTION 2002-A.

1 [(11)] "PROFESSIONAL EMPLOYE" FOR THE PURPOSES OF THIS ACT,
2 PROFESSIONAL EMPLOYE MEANS ANY EMPLOYE WHOSE WORK:

3 [(I)] (1) IS PREDOMINATELY INTELLECTUAL AND VARIED IN
4 CHARACTER;

5 [(II)] (2) REQUIRES CONSISTENT EXERCISE OF DISCRETION AND
6 JUDGMENT;

7 [(III)] (3) REQUIRES KNOWLEDGE OF AN ADVANCED NATURE IN THE
8 FIELD OF SCIENCE OR LEARNING CUSTOMARILY ACQUIRED BY SPECIALIZED
9 STUDY IN AN INSTITUTION OF HIGHER LEARNING OR ITS EQUIVALENT;
10 AND

11 [(IV)] (4) IS OF SUCH CHARACTER THAT THE OUTPUT OR RESULT
12 ACCOMPLISHED CANNOT BE STANDARDIZED IN RELATION TO A GIVEN
13 PERIOD OF TIME.

14 [(12)] "REFUND" SHALL MEAN ANY RETURN PAYMENT, OR REMISSION,
15 BY AN INSTITUTION TO A STUDENT OF ALL OR PART OF ANY SUM HE HAS
16 PAID FOR TUITION, ROOM AND BOARD, APPLICATION OR STUDENT
17 ACTIVITY FEE OR ANY OTHER CHARGE OR FEE.

18 [(13)] "SECRETARY" SHALL MEAN THE SECRETARY OF EDUCATION OF
19 THE COMMONWEALTH OF PENNSYLVANIA OR SUCH PERSON AS THE SECRETARY
20 MAY DESIGNATE TO ACT ON BEHALF OF THE SECRETARY WITH REGARD TO
21 ANY OF THE DUTIES AND PREROGATIVES IMPOSED BY THIS ACT.

22 [(14)] "STATE BOARD" SHALL MEAN THE STATE BOARD OF
23 EDUCATION.

24 "STEM" SHALL MEAN SCIENCE, TECHNOLOGY, ENGINEERING AND
25 MATHEMATICS.

26 [(15)] "STUDENT" SHALL MEAN A PERSON WHO IS ENROLLED IN A
27 COURSE OF STUDY IN ANY INSTITUTION WHICH IS SUBJECT TO THE
28 PROVISIONS HEREOF.

29 [(16)] "STUDENT ASSOCIATION" SHALL MEAN THE OFFICIALLY
30 RECOGNIZED REPRESENTATIVE BODY OF THE STUDENT POPULATION OF EACH

1 INSTITUTION.

2 [(17)] "SYSTEM" SHALL MEAN THE STATE SYSTEM OF HIGHER
3 EDUCATION.

4 [(17.1)] "TRANSITIONAL MEMBER" SHALL MEAN A TRUSTEE SERVING
5 ON THE COUNCIL OF TRUSTEES AS OF JUNE 30, 2022, FOR AN
6 INSTITUTION CONSOLIDATED UNDER SECTION 2002-A, WHO IS APPOINTED
7 TO SERVE ON AN INTEGRATED COUNCIL FOR A TERM BEGINNING ON JULY
8 15, 2022, UNTIL SEPTEMBER 30, 2022, OR UPON CONFIRMATION OF
9 INITIAL MEMBERS BY THE SENATE, WHICHEVER OCCURS EARLIER.

10 [(18)] "WAIVER" SHALL MEAN ANY RELEASE FROM INITIAL PAYMENT
11 BY A STUDENT OF ALL OR PART OF HIS TUITION, CHARGE FOR ROOM AND
12 BOARD, APPLICATION OR STUDENT ACTIVITY FEE OR ANY OTHER CHARGE
13 OR FEE.

14 [(19) "MAINTENANCE PROJECTS" SHALL MEAN THOSE ACTIVITIES,
15 MATERIALS, LABOR AND CONTRACTS NECESSARY TO REPLACE, RESTORE,
16 REFURBISH OR ENHANCE REAL PROPERTY WHICH DO NOT ALTER THE
17 ARCHITECTURAL OR ENGINEERING CHARACTERISTICS OF THE STRUCTURE,
18 AS FOLLOWS: PAINTING; WINDOW REPAIR AND REPLACEMENT; ROOF REPAIR
19 AND REPLACEMENT; REPOINTING AND MASONRY REPAIR; DOWNSPOUT AND
20 GUTTERS; LANDSCAPING; ROADWAYS, PARKING FACILITIES, TRACK AND
21 ATHLETIC COURT RESURFACING AND RECONSTRUCTION; SIDEWALK AND
22 CURBING RECONSTRUCTION AND REPLACEMENT; ASBESTOS ABATEMENT (IN
23 ACCORDANCE WITH ALL STATE AND FEDERAL STATUTES AND REGULATIONS);
24 CAULKING AND INSULATION; AND REPLACEMENT, RECONSTRUCTION AND
25 CONSTRUCTION OF NON-LOAD BEARING INTERIOR WALLS. NO SUCH PROJECT
26 SHALL AFFECT THE STRUCTURAL INTEGRITY OF ANY EXISTING FACILITY
27 OR UTILITY SYSTEM.

28 [(20) "CAMPUS POLICE" SHALL MEAN ALL LAW ENFORCEMENT
29 PERSONNEL EMPLOYED BY THE SYSTEM WHO HAVE SUCCESSFULLY COMPLETED
30 A CAMPUS POLICE COURSE OF TRAINING APPROVED UNDER 53 PA.C.S. CH.

1 21 SUBCH. D (RELATING TO MUNICIPAL POLICE EDUCATION AND
2 TRAINING) .

3 (21) "GROUNDS" SHALL MEAN ALL LANDS AND BUILDINGS OWNED,
4 CONTROLLED, LEASED OR MANAGED BY THE SYSTEM AND ALL HIGHWAYS,
5 TRAFFICWAYS AND BICYCLE AND PEDESTRIAN FACILITIES THAT TRAVERSE
6 OR ABUT SUCH LANDS AND BUILDINGS.]

7 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

8 SECTION 2022-A. GROW PENNSYLVANIA MERIT SCHOLARSHIP

9 PROGRAM.-- (A) BEGINNING WITH THE CLASS OF FIRST-TIME FRESHMEN
10 ENROLLING FOR THE 2025-2026 ACADEMIC YEAR, THE AGENCY, IN
11 CONJUNCTION WITH THE SYSTEM, SHALL ADMINISTER A PROGRAM, WHICH
12 IS ESTABLISHED AND SHALL BE KNOWN AS THE GROW PENNSYLVANIA MERIT
13 SCHOLARSHIP PROGRAM. THE AGENCY SHALL AWARD MERIT SCHOLARSHIPS
14 TO ELIGIBLE NONRESIDENT STUDENTS.

15 (B) TO BE ELIGIBLE FOR RECEIPT OF A MERIT SCHOLARSHIP, AN
16 ELIGIBLE NONRESIDENT STUDENT MUST:

17 (1) HAVE A HIGH SCHOOL GRADE POINT AVERAGE OF AT LEAST 2.5
18 ON A 4.0 SCALE.

19 (2) BE ENROLLED FULL TIME IN PERSON IN AN APPROVED COURSE OF
20 STUDY AT AN INSTITUTION, EXCEPT THAT A PERSON MAY TAKE ONLINE
21 COURSES THAT ARE PART OF THE CURRICULUM.

22 (3) MAINTAIN SATISFACTORY ACADEMIC PROGRESS AS DEFINED BY
23 THE AGENCY.

24 (4) NOT HAVE EARNED A BACHELOR'S DEGREE OR THE EQUIVALENT.

25 (5) ENTER INTO A WRITTEN AGREEMENT WITH THE AGENCY TO:

26 (I) SATISFY ALL DEGREE REQUIREMENTS AND OTHER REQUIREMENTS
27 OF THIS SECTION.

28 (II) COMMENCE EMPLOYMENT IN THIS COMMONWEALTH WITHIN ONE
29 YEAR AFTER COMPLETION OF AN APPROVED COURSE OF STUDY CULMINATING
30 IN A BACHELOR'S OR ASSOCIATE'S DEGREE. THE EMPLOYMENT MUST BE IN

1 IN-DEMAND OCCUPATIONS, AS DETERMINED BY THE AGENCY, FOR A PERIOD
2 OF TWELVE MONTHS OF EACH ACADEMIC YEAR THE STUDENT RECEIVED A
3 MERIT SCHOLARSHIP, UNLESS THE AGENCY DETERMINES THAT THERE ARE
4 EXTENUATING CIRCUMSTANCES.

5 (III) REIMBURSE THE AGENCY THE AGGREGATE AMOUNT OF A
6 SCHOLARSHIP RECEIVED UNDER THIS SECTION IF THE STUDENT BREECHES
7 THE AGREEMENT. FOR A STUDENT WHO PARTIALLY SATISFIES THE WORK
8 REQUIREMENT, THE AGENCY SHALL PRORATE THE REQUIRED
9 REIMBURSEMENT.

10 (C) THE AGENCY SHALL:

11 (1) DEVELOP GUIDELINES, INCLUDING INSTRUCTIONS FOR HOW A
12 NONRESIDENT STUDENT MAY APPLY FOR A MERIT SCHOLARSHIP AND HOW
13 INSTITUTIONS MAY RECEIVE MERIT SCHOLARSHIP FUNDS FROM THE AGENCY
14 FOR SCHOLARSHIP RECIPIENTS.

15 (2) MONITOR AND VERIFY A STUDENT'S COMPLIANCE WITH THE
16 AGREEMENT AND ENFORCE REPAYMENT OF ALL MERIT SCHOLARSHIPS FOR A
17 STUDENT WHO DOES NOT COMPLY WITH THE PROVISIONS OF THIS SECTION,
18 INCLUDING USE OF LAWFUL COLLECTION PROCEDURES.

19 (D) A MERIT SCHOLARSHIP SHALL BE FOR A MAXIMUM OF FOUR
20 ACADEMIC YEARS OR THE COMPLETION OF A BACHELOR'S DEGREE,
21 WHICHEVER OCCURS FIRST.

22 (E) (RESERVED).

23 (F) IF A STUDENT TERMINATES ENROLLMENT IN THE APPROVED
24 COURSE OF STUDY DURING THE ACADEMIC YEAR OR PRIOR TO COMPLETION
25 OF THE APPROVED COURSE OF STUDY, THE INSTITUTION SHALL NOTIFY
26 THE AGENCY IN WRITING.

27 (G) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO:

28 (1) CHANGE A STUDENT'S ELIGIBILITY FOR A MERIT SCHOLARSHIP
29 IF THE STUDENT TERMINATES ENROLLMENT IN ONE APPROVED COURSE OF
30 STUDY AND ENROLLS IN A DIFFERENT APPROVED COURSE OF STUDY AT THE

1 SAME INSTITUTION OR ANOTHER INSTITUTION.

2 (2) REQUIRE AN INSTITUTION TO ENFORCE ANY PROVISION OF THIS
3 SECTION RELATING TO REPAYMENT OF FUNDS FOR FAILURE TO COMPLY
4 WITH THIS SECTION.

5 (H) MONEY REIMBURSED TO THE AGENCY UNDER THIS SECTION SHALL
6 BE TRANSFERRED TO THE SYSTEM.

7 (I) (1) THE AGENCY SHALL POSTPONE THE WORK REQUIREMENT
8 UNDER SUBSECTION (B) (5) FOR EXTENUATING CIRCUMSTANCES, AS
9 DETERMINED BY THE AGENCY, OR IF THE STUDENT ENROLLS IN A HIGHER
10 LEVEL DEGREE PROGRAM.

11 (2) A STUDENT THAT ENROLLS IN A HIGHER LEVEL DEGREE PROGRAM
12 MUST PROVIDE THE AGENCY WITH DOCUMENTATION SHOWING CONTINUAL
13 STATUS AS A FULL-TIME STUDENT IN ORDER TO BE GIVEN A
14 POSTPONEMENT BY THE AGENCY UNDER THIS SECTION.

15 (J) IN ANY YEAR WHEN FEWER THAN THREE HUNDRED (300) MERIT
16 SCHOLARSHIPS ARE AWARDED, THE COMMONWEALTH SHALL PAY TO THE
17 SYSTEM IN THE SUBSEQUENT YEAR THE FOLLOWING AMOUNT:

18 (1) SUBTRACT THE NUMBER OF MERIT SCHOLARSHIPS AWARDED FROM
19 THREE HUNDRED (300).

20 (2) MULTIPLY THE SUM IN PARAGRAPH (1) BY THE DIFFERENTIAL
21 BETWEEN TUITION FOR A RESIDENT AND NONRESIDENT STUDENT.

22 (K) A MERIT SCHOLARSHIP RECEIVED BY A STUDENT SHALL NOT BE
23 CONSIDERED TAXABLE INCOME FOR PURPOSES OF ARTICLE III OF THE ACT
24 OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE "TAX REFORM CODE OF
25 1971."

26 (L) THE SYSTEM SHALL PROVIDE ASSISTANCE TO THE AGENCY AS
27 NECESSARY TO ADMINISTER THE PROGRAM.

28 (M) THE SYSTEM SHALL ACTIVELY ADVERTISE AND MARKET THE
29 PROGRAM TO STUDENTS AND INCLUDE INFORMATION ABOUT THE PROGRAM ON
30 THE SYSTEM'S PUBLICLY ACCESSIBLE INTERNET WEBSITE AND ON EACH

1 INSTITUTION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

2 (N) THE AGENCY, IN CONSULTATION WITH THE SYSTEM, SHALL
3 PREPARE AND SUBMIT TO THE GOVERNOR, THE GENERAL ASSEMBLY AND THE
4 SECRETARY NO LATER THAN DECEMBER 31, 2025, AND EACH DECEMBER 31
5 THEREAFTER, A REPORT DETAILING THE OPERATION OF THE PROGRAM. THE
6 REPORT SHALL, AT A MINIMUM, INCLUDE:

7 (1) A LIST OF THE IN-DEMAND OCCUPATIONS FOR WHICH MERIT
8 SCHOLARSHIPS MAY BE SOUGHT.

9 (2) THE NUMBER OF MERIT SCHOLARSHIP APPLICANTS.

10 (3) THE NUMBER OF MERIT SCHOLARSHIPS AWARDED TO STUDENTS.

11 (4) THE NUMBER OF MERIT SCHOLARSHIPS AWARDED BY APPROVED
12 COURSE OF STUDY.

13 (5) THE NUMBER OF MERIT SCHOLARSHIPS AWARDED BY INSTITUTION.

14 (6) THE AVERAGE AMOUNT OF THE MERIT SCHOLARSHIP.

15 (7) THE NUMBER OF MERIT SCHOLARSHIP RECIPIENTS THAT ARE
16 EMPLOYED AND MEETING THE WORK REQUIREMENT UNDER SUBSECTION (B)
17 (5).

18 (8) THE NUMBER OF MERIT SCHOLARSHIP RECIPIENTS THAT HAVE NOT
19 MET THE WORK REQUIREMENT.

20 (9) THE AMOUNT OF MONEY REIMBURSED TO THE AGENCY BY MERIT
21 SCHOLARSHIP RECIPIENTS THAT HAVE NOT MET THE WORK REQUIREMENT.

22 SECTION 3. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

23 ARTICLE XX-L

24 INSTITUTIONS OF HIGHER EDUCATION

25 SUBARTICLE A

26 PRELIMINARY PROVISIONS

27 SECTION 2001-L. DEFINITIONS.

28 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
30 CONTEXT CLEARLY INDICATES OTHERWISE:

1 "AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
2 AGENCY.

3 "BOARD." THE STATE BOARD OF HIGHER EDUCATION ESTABLISHED
4 UNDER SECTION 2010-L.

5 "COMMUNITY COLLEGE." AN INSTITUTION CREATED UNDER ARTICLE
6 XIX-A OR THE ACT OF AUGUST 24, 1963 (P.L.1132, NO.484), KNOWN AS
7 THE COMMUNITY COLLEGE ACT OF 1963.

8 "COUNCIL." THE PERFORMANCE-BASED FUNDING COUNCIL ESTABLISHED
9 UNDER SUBARTICLE C.

10 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
11 COMMONWEALTH.

12 "FINANCIAL AID." FUNDING TO HELP A STUDENT PAY FOR
13 POSTSECONDARY EDUCATION, INCLUDING GRANTS, WORK STUDY, LOANS AND
14 SCHOLARSHIPS.

15 "HIGH-PRIORITY OCCUPATION." AN OCCUPATION IDENTIFIED BY THE
16 DEPARTMENT OF LABOR AND INDUSTRY UNDER THE ACT OF DECEMBER 18,
17 2001 (P.L.949, NO.114), KNOWN AS THE WORKFORCE DEVELOPMENT ACT.

18 "HIGHER EDUCATION SCHOLARSHIP LAW." THE ACT OF JANUARY 25,
19 1966 (1965 P.L.1546, NO.541), REFERRED TO AS THE HIGHER
20 EDUCATION SCHOLARSHIP LAW.

21 "INDEPENDENT INSTITUTION OF HIGHER EDUCATION." AN
22 INSTITUTION OF HIGHER EDUCATION WHICH IS OPERATED NOT FOR
23 PROFIT, LOCATED IN AND INCORPORATED OR CHARTERED BY THE
24 COMMONWEALTH AND ENTITLED TO CONFER DEGREES AS SPECIFIED IN 24
25 PA.C.S. § 6505 (RELATING TO POWER TO CONFER DEGREES) AND TO
26 APPLY TO ITSELF THE DESIGNATION "COLLEGE" OR "UNIVERSITY" AS
27 PROVIDED FOR BY THE STANDARDS AND QUALIFICATIONS PRESCRIBED BY
28 THE STATE BOARD OF EDUCATION UNDER 24 PA.C.S. CH. 65 (RELATING
29 TO PRIVATE COLLEGES, UNIVERSITIES AND SEMINARIES).

30 "INSTITUTION OF HIGHER EDUCATION." AS DEFINED IN SECTION

1 1501-L.

2 "INSTITUTIONAL AID." FINANCIAL AID OFFERED TO AN ELIGIBLE
3 STUDENT DIRECTLY BY AN INSTITUTION OF HIGHER EDUCATION,
4 INCLUDING MERIT AID, GIFT AID AND ATHLETIC AWARDS.

5 "PELL GRANT." THE FEDERAL PELL GRANT OR ANY SUCCESSOR
6 PROGRAM.

7 "PENNSYLVANIA STATE GRANT." A GRANT OR SCHOLARSHIP AWARDED
8 UNDER THE HIGHER EDUCATION SCHOLARSHIP LAW.

9 "PRIVATE SCHOLARSHIP." FINANCIAL AID AWARDS FUNDED BY
10 ENTITIES OTHER THAN THE FEDERAL OR STATE GOVERNMENT, INCLUDING
11 AWARDS BY COMPANIES, SERVICE GROUPS, FOUNDATIONS, ORGANIZATIONS
12 AND INDIVIDUALS.

13 "PUBLIC INSTITUTION OF HIGHER EDUCATION." A STATE-OWNED
14 UNIVERSITY, COMMUNITY COLLEGE OR STATE-RELATED UNIVERSITY.

15 "STATE-OWNED UNIVERSITY." AN INSTITUTION WHICH IS PART OF
16 THE STATE SYSTEM OF HIGHER EDUCATION UNDER ARTICLE XX-A.

17 "STATE-RELATED UNIVERSITY." THE PENNSYLVANIA STATE
18 UNIVERSITY, THE UNIVERSITY OF PITTSBURGH, TEMPLE UNIVERSITY AND
19 LINCOLN UNIVERSITY.

20 "SYSTEM." THE STATE SYSTEM OF HIGHER EDUCATION ESTABLISHED
21 UNDER ARTICLE XX-A.

22 SUBARTICLE B

23 (RESERVED)

24 SUBARTICLE C

25 (RESERVED)

26 SUBARTICLE D

27 GROW PENNSYLVANIA SCHOLARSHIP GRANT PROGRAM

28 SECTION 2050-L. DEFINITIONS.

29 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE
30 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 "AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
3 AGENCY.

4 "APPROVED COURSE OF STUDY." A PROGRAM OFFERED BY AN
5 INSTITUTION OF HIGHER EDUCATION THAT PROVIDES INSTRUCTION IN
6 AGRICULTURE, COMPUTER SCIENCE, CRIMINAL JUSTICE, BUSINESS,
7 EDUCATION, SPECIAL EDUCATION, STEM EDUCATION, ENGINEERING,
8 NURSING, ALLIED HEALTH, TRADES OR OTHER PROGRAMS ALIGNED TO IN-
9 DEMAND OCCUPATIONS APPROVED BY THE AGENCY.

10 "EDUCATIONAL COST." TUITION, MANDATORY FEES, TEXTBOOKS AND
11 OTHER EXPENSES PAID TO AN INSTITUTION OF HIGHER EDUCATION AND
12 APPROVED BY THE AGENCY.

13 "GRANT." A GROW PENNSYLVANIA SCHOLARSHIP GRANT AWARDED UNDER
14 THIS SUBARTICLE.

15 "IN-DEMAND OCCUPATION." A JOB THAT IS IN DEMAND BY EMPLOYERS
16 IN THIS COMMONWEALTH, REQUIRES A HIGH LEVEL OF SKILL AND IS
17 LIKELY TO PROVIDE FAMILY SUSTAINING WAGES.

18 "INSTITUTION OF HIGHER EDUCATION." EITHER OF THE FOLLOWING:

19 (1) AN INSTITUTION OF HIGHER EDUCATION THAT IS LOCATED
20 IN THIS COMMONWEALTH AND APPROVED BY THE AGENCY FOR
21 ENROLLMENT OF GRANT RECIPIENTS UNDER THE ACT OF JANUARY 25,
22 1966 (1965 P.L.1546, NO.541), REFERRED TO AS THE HIGHER
23 EDUCATION SCHOLARSHIP LAW.

24 (2) AN INSTITUTION OF HIGHER EDUCATION ESTABLISHED UNDER
25 ARTICLE XIX-G.

26 "PROGRAM." THE GROW PENNSYLVANIA SCHOLARSHIP GRANT PROGRAM
27 ESTABLISHED UNDER THIS SUBARTICLE.

28 "STEM." SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS.

29 "STUDENT." AN INDIVIDUAL WHO IS A RESIDENT OF THIS
30 COMMONWEALTH AND IS ADMITTED OR ENROLLED AT AN INSTITUTION OF

1 HIGHER EDUCATION.

2 "TRADE." A PROGRAM OFFERED BY THE PENNSYLVANIA COLLEGE OF
3 TECHNOLOGY AND THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

4 SECTION 2051-L. GROW PENNSYLVANIA SCHOLARSHIP GRANT PROGRAM.

5 THE GROW PENNSYLVANIA SCHOLARSHIP GRANT PROGRAM IS
6 ESTABLISHED WITHIN THE AGENCY TO AWARD GRANTS BEGINNING IN THE
7 2024-2025 SCHOOL YEAR.

8 SECTION 2052-L. AGENCY DUTIES.

9 THE AGENCY SHALL:

10 (1) ADMINISTER THE PROGRAM AND, IN ITS SOLE DISCRETION,
11 AWARD GRANTS TO STUDENTS WHO SUBMIT A COMPLETED APPLICATION
12 AND SATISFY THE ELIGIBILITY CRITERIA IN PARAGRAPH (4). THE
13 AGENCY SHALL DEVELOP AN APPLICATION FORM THAT STUDENTS MAY
14 USE TO APPLY FOR A GRANT. THE APPLICATION OF A STUDENT UNDER
15 18 YEARS OF AGE OR A STUDENT DETERMINED TO BE A DEPENDENT
16 MUST INCLUDE THE SIGNATURE OF A PARENT OR GUARDIAN.

17 (2) USE MONEY APPROPRIATED FOR THE PURPOSE OF AWARDING
18 GRANTS.

19 (3) AWARD A GRANT TO A STUDENT IN AN AMOUNT OF \$5,000
20 PER ACADEMIC YEAR OR IF THE TOTAL AMOUNT OF FEDERAL AND STATE
21 GRANTS AVAILABLE TO THE STUDENT EXCEEDS THE EDUCATIONAL COST
22 AS DETERMINED BY THE AGENCY, WHICHEVER IS LESS. THE AGENCY,
23 IN ITS DISCRETION, MAY PROVIDE FOR PARTIAL-YEAR AWARDS.

24 (4) ESTABLISH ELIGIBILITY CRITERIA IN ORDER FOR A
25 STUDENT TO RECEIVE A GRANT. THE CRITERIA SHALL, AT A MINIMUM,
26 INCLUDE THAT A STUDENT MUST:

27 (I) BE A RESIDENT OF THIS COMMONWEALTH AS DEFINED BY
28 THE AGENCY.

29 (II) BE ENROLLED IN AN APPROVED COURSE OF STUDY.

30 (III) MAINTAIN SATISFACTORY ACADEMIC PROGRESS

1 DEFINED BY THE AGENCY.

2 (IV) NOT HAVE EARNED A BACHELOR'S DEGREE OR THE
3 EQUIVALENT.

4 (V) ENTER INTO A WRITTEN AGREEMENT WITH THE AGENCY
5 TO:

6 (A) SATISFY ALL DEGREE REQUIREMENTS AND OTHER
7 REQUIREMENTS UNDER THIS SUBARTICLE.

8 (B) COMMENCE EMPLOYMENT IN THIS COMMONWEALTH
9 WITHIN ONE YEAR AFTER COMPLETION OF AN APPROVED
10 COURSE OF STUDY CULMINATING IN A BACHELOR'S OR
11 ASSOCIATE'S DEGREE. THE EMPLOYMENT MUST BE IN AN IN-
12 DEMAND OCCUPATION, AS DETERMINED BY THE AGENCY, FOR A
13 PERIOD OF 12 MONTHS FOR EACH ACADEMIC YEAR THE
14 STUDENT RECEIVED A GRANT, UNLESS THE AGENCY
15 DETERMINES THAT THERE ARE EXTENUATING CIRCUMSTANCES.

16 (C) REIMBURSE THE COMMONWEALTH THE AGGREGATE
17 AMOUNT OF A SCHOLARSHIP RECEIVED UNDER THIS
18 SUBARTICLE IF THE STUDENT FAILS TO COMPLY WITH
19 CLAUSES (A) AND (B). FOR A STUDENT WHO PARTIALLY
20 SATISFIES THE WORK REQUIREMENT, THE AGENCY SHALL
21 PRORATE THE REQUIRED REIMBURSEMENT.

22 (5) MONITOR AND VERIFY A STUDENT'S COMPLIANCE WITH THE
23 AGREEMENT AND ENFORCE REPAYMENT OF ALL GRANTS FOR A STUDENT
24 WHO DOES NOT COMPLY WITH THE PROVISIONS OF THIS SECTION,
25 INCLUDING USE OF ALL LAWFUL COLLECTION PROCEDURES. NOTHING
26 UNDER THIS PARAGRAPH SHALL BE CONSTRUED TO REQUIRE AN
27 INSTITUTION OF HIGHER EDUCATION TO ENFORCE ANY PROVISION OF
28 THIS SUBARTICLE RELATING TO REPAYMENT OF FUNDS FOR FAILURE TO
29 COMPLY WITH THE PROVISIONS OF THIS SECTION.

30 (6) ADVERTISE, MARKET AND PROVIDE OUTREACH TO STUDENTS

1 IN TRADITIONALLY UNDERSERVED COMMUNITIES AND INCLUDE
2 INFORMATION ABOUT THE PROGRAM ON THE AGENCY'S PUBLICLY
3 ACCESSIBLE INTERNET WEBSITE.

4 SECTION 2053-L. TERM OF GRANT.

5 A GRANT SHALL BE FOR A MAXIMUM OF FOUR ACADEMIC YEARS OR THE
6 COMPLETION OF A BACHELOR'S DEGREE, WHICHEVER OCCURS FIRST.

7 SECTION 2054-L. GRANT PRIORITY.

8 THE AGENCY SHALL:

9 (1) ESTABLISH A PROCESS FOR ACCEPTING AND REVIEWING
10 APPLICATIONS. THE PROCESS SHALL ENSURE APPLICATIONS WHICH
11 MEET THE ELIGIBILITY CRITERIA AND ARE COMPLETE WILL BE
12 AWARDED IN THE ORDER RECEIVED BY THE AGENCY. THE FOLLOWING
13 SHALL APPLY:

14 (I) FOR THE 2024-2025 SCHOOL YEAR, APPLICATIONS
15 SHALL OPEN NO EARLIER THAN SEPTEMBER 15.

16 (II) FOR THE 2025-2026 SCHOOL YEAR AND EACH SCHOOL
17 YEAR THEREAFTER, APPLICATION SHALL OPEN AS FOLLOWS:

18 (A) FOR THE SPRING TERM, NO EARLIER THAN
19 SEPTEMBER 15.

20 (B) FOR THE FALL TERM, NO EARLIER THAN FEBRUARY
21 15.

22 (2) GIVE FIRST PRIORITY IN AWARDING GRANTS FOR RENEWAL
23 APPLICATIONS.

24 SECTION 2055-L. LIMITATIONS.

25 THE NUMBER OF GRANTS SHALL BE LIMITED TO THE AMOUNT OF MONEY
26 APPROPRIATED TO THE AGENCY FOR THE PROGRAM.

27 SECTION 2056-L. TERMINATION.

28 (A) GENERAL RULE.--IF A STUDENT TERMINATES ENROLLMENT IN THE
29 APPROVED COURSE OF STUDY DURING THE ACADEMIC YEAR OR PRIOR TO
30 COMPLETION OF THE APPROVED COURSE OF STUDY, THE INSTITUTION OF

1 HIGHER EDUCATION SHALL NOTIFY THE AGENCY IN WRITING AND SHALL
2 RETURN ANY UNUSED PORTION OF THE GRANT TO THE AGENCY.

3 (B) CONSTRUCTION.--NOTHING IN THIS SUBARTICLE SHALL BE
4 CONSTRUED TO CHANGE A STUDENT'S ELIGIBILITY FOR A GRANT IF THE
5 STUDENT TERMINATES ENROLLMENT IN ONE APPROVED COURSE OF STUDY
6 AND ENROLLS IN A DIFFERENT APPROVED COURSE OF STUDY AT THE SAME
7 INSTITUTION OF HIGHER EDUCATION OR ANOTHER INSTITUTION OF HIGHER
8 EDUCATION.

9 SECTION 2057-L. REIMBURSED AND RETURNED MONEY.

10 MONEY REIMBURSED AND RETURNED UNDER SECTIONS 2052-L AND 2056-
11 L SHALL BE USED TO PROVIDE ADDITIONAL GRANTS.

12 SECTION 2058-L. EXCEPTION.

13 THE AGENCY SHALL POSTPONE THE WORK REQUIREMENT UNDER SECTION
14 2053-L FOR EXTENUATING CIRCUMSTANCES, AS DETERMINED BY THE
15 AGENCY, OR IF THE STUDENT ENROLLS IN A HIGHER LEVEL DEGREE
16 PROGRAM. A STUDENT THAT ENROLLS IN A HIGHER LEVEL DEGREE PROGRAM
17 MUST PROVIDE THE AGENCY WITH DOCUMENTATION SHOWING CONTINUAL
18 STATUS AS A FULL-TIME STUDENT IN ORDER TO BE GIVEN A
19 POSTPONEMENT BY THE AGENCY UNDER THIS SECTION.

20 SECTION 2059-L. TAXATION.

21 A GRANT RECEIVED BY A STUDENT SHALL NOT BE CONSIDERED TAXABLE
22 INCOME FOR PURPOSES OF ARTICLE III OF THE ACT OF MARCH 4, 1971
23 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971.

24 SECTION 2060-L. CONSTRUCTION.

25 NOTHING IN THIS SUBARTICLE SHALL BE CONSTRUED TO DISQUALIFY
26 AN INSTITUTION OF HIGHER EDUCATION FROM RECEIPT OF MONEY UNDER
27 THE ACT OF JULY 18, 1974 (P.L.483, NO.174), KNOWN AS THE
28 INSTITUTIONAL ASSISTANCE GRANTS ACT.

29 SECTION 2061-L. PUBLIC OUTREACH.

30 THE AGENCY SHALL ACTIVELY ADVERTISE AND MARKET THE PROGRAM TO

1 RESIDENT STUDENTS AND INCLUDE INFORMATION ABOUT THE PROGRAM ON
2 THE AGENCY'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.
3 SECTION 2062-L. REPORT.

4 THE AGENCY SHALL PREPARE AND SUBMIT TO THE GOVERNOR, THE
5 GENERAL ASSEMBLY AND THE SECRETARY OF EDUCATION NO LATER THAN
6 DECEMBER 31, 2025, AND EACH DECEMBER 31 THEREAFTER, A REPORT
7 DETAILING THE OPERATION OF THE PROGRAM. THE REPORT SHALL, AT A
8 MINIMUM, INCLUDE:

9 (1) A LIST OF THE IN-DEMAND OCCUPATION FOR WHICH GRANTS
10 MAY BE SOUGHT.

11 (2) THE NUMBER OF NEW GRANT APPLICANTS AND RENEWAL GRANT
12 APPLICATIONS.

13 (3) THE NUMBER OF GRANTS AWARDED TO STUDENTS.

14 (4) THE NUMBER OF GRANTS AWARDED TO STUDENTS BY APPROVED
15 COURSE OF STUDY.

16 (5) THE NUMBER OF GRANTS AWARDED TO STUDENTS BY
17 INSTITUTION OF HIGHER EDUCATION.

18 (6) THE AVERAGE VALUE OF A GRANT AWARD.

19 (7) THE NUMBER OF GRANT RECIPIENTS THAT ARE EMPLOYED AND
20 MEETING THE WORK REQUIREMENT UNDER SECTION 2052-L(4)(VI)(B).

21 (8) THE NUMBER OF GRANT RECIPIENTS THAT ARE EMPLOYED AND
22 MEETING THE WORK REQUIREMENT BY OCCUPATION.

23 (9) THE NUMBER OF GRANT RECIPIENTS THAT HAVE NOT MET THE
24 WORK REQUIREMENT.

25 (10) THE AMOUNT OF MONEY REIMBURSED TO THE COMMONWEALTH
26 BY GRANT RECIPIENTS THAT HAVE NOT MET THE WORK REQUIREMENT.

27 ARTICLE XX-M

28 INTERCOLLEGIATE ATHLETICS

29 SECTION 2001-M. SCOPE OF ARTICLE.

30 THIS ARTICLE RELATES TO COLLEGE STUDENT ATHLETE COMPENSATION

1 RELATED TO NAME, IMAGE OR LIKENESS AND PROFESSIONAL
2 REPRESENTATION.

3 SECTION 2002-M. DEFINITIONS.

4 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
5 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
6 CONTEXT CLEARLY INDICATES OTHERWISE:

7 "ATHLETE AGENT." AS DEFINED IN 5 PA.C.S. § 3502 (RELATING TO
8 DEFINITIONS).

9 "COLLEGE STUDENT ATHLETE." AN INDIVIDUAL ENROLLED AT AN
10 INSTITUTION OF HIGHER EDUCATION WHO PARTICIPATES IN
11 INTERCOLLEGIATE ATHLETICS FOR THE INSTITUTION OF HIGHER
12 EDUCATION. THE TERM DOES NOT INCLUDE AN INDIVIDUAL WHOSE
13 PARTICIPATION IS OR WAS IN A COLLEGE INTRAMURAL SPORT, CLUB
14 SPORT OR IN A PROFESSIONAL SPORT OUTSIDE OF INTERCOLLEGIATE
15 ATHLETICS.

16 "INSTITUTION OF HIGHER EDUCATION." ANY OF THE FOLLOWING:

17 (1) A UNIVERSITY WITHIN THE STATE SYSTEM OF HIGHER
18 EDUCATION.

19 (2) THE PENNSYLVANIA STATE UNIVERSITY, THE UNIVERSITY OF
20 PITTSBURGH, TEMPLE UNIVERSITY, LINCOLN UNIVERSITY OR ANY
21 OTHER INSTITUTION DESIGNATED AS STATE-RELATED BY THE
22 COMMONWEALTH.

23 (3) THE THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

24 (4) A COMMUNITY COLLEGE AS DEFINED IN ARTICLE XIX-A .

25 (5) A COLLEGE ESTABLISHED UNDER ARTICLE XIX-G.

26 (6) AN INSTITUTION OF HIGHER EDUCATION LOCATED IN AND
27 INCORPORATED OR CHARTERED BY THE COMMONWEALTH AND ENTITLED TO
28 CONFER DEGREES AS SPECIFIED IN 24 PA.C.S. § 6505 (RELATING TO
29 POWER TO CONFER DEGREES) AND AS PROVIDED FOR BY THE STANDARDS
30 AND QUALIFICATIONS PRESCRIBED BY THE STATE BOARD OF EDUCATION

1 UNDER 24 PA.C.S. CH. 65 (RELATING TO PRIVATE COLLEGES,
2 UNIVERSITIES AND SEMINARIES).

3 (7) A PRIVATE SCHOOL LICENSED UNDER THE ACT OF DECEMBER
4 15, 1986 (P.L.1585, NO.174), KNOWN AS THE PRIVATE LICENSED
5 SCHOOLS ACT.

6 (8) A FOREIGN CORPORATION APPROVED TO OPERATE AN
7 EDUCATIONAL ENTERPRISE UNDER 22 PA. CODE CH. 36 (RELATING TO
8 FOREIGN CORPORATION STANDARDS).

9 "NCAA." THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION.

10 SECTION 2003-M. COMPENSATION REGARDING COLLEGE STUDENT
11 ATHLETE'S NAME, IMAGE OR LIKENESS RIGHTS.

12 (A) COMPENSATION ALLOWED.--A COLLEGE STUDENT ATHLETE MAY
13 EARN COMPENSATION FOR THE USE OF THE COLLEGE STUDENT ATHLETE'S
14 NAME, IMAGE OR LIKENESS UNDER THIS ARTICLE.

15 (B) PROHIBITION REGARDING INSTITUTIONS OF HIGHER
16 EDUCATION.--AN INSTITUTION OF HIGHER EDUCATION MAY NOT UPHOLD A
17 RULE, REQUIREMENT, STANDARD OR OTHER LIMITATION THAT PREVENTS A
18 COLLEGE STUDENT ATHLETE OF THE INSTITUTION OF HIGHER EDUCATION
19 FROM EARNING COMPENSATION THROUGH THE USE OF THE COLLEGE STUDENT
20 ATHLETE'S NAME, IMAGE OR LIKENESS RIGHTS.

21 (C) PROHIBITIONS REGARDING INTERCOLLEGIATE ATHLETIC
22 ENTITIES.--AN ATHLETIC ASSOCIATION, CONFERENCE OR OTHER GROUP OR
23 ORGANIZATION WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETICS,
24 INCLUDING THE NCAA, MAY NOT:

25 (1) PREVENT A COLLEGE STUDENT ATHLETE FROM EARNING
26 COMPENSATION THROUGH THE USE OR LICENSE OF THE COLLEGE
27 STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS RIGHTS.

28 (2) PREVENT AN INSTITUTION OF HIGHER EDUCATION FROM
29 FULLY PARTICIPATING IN INTERCOLLEGIATE ATHLETICS AS A RESULT
30 OF A COLLEGE STUDENT ATHLETE'S USE OF THE COLLEGE STUDENT

1 ATHLETE'S NAME, IMAGE OR LIKENESS RIGHTS TO SEEK
2 COMPENSATION.

3 (3) ENTERTAIN A COMPLAINT, OPEN AN INVESTIGATION OR TAKE
4 ANY OTHER ADVERSE ACTION AGAINST AN INSTITUTION OF HIGHER
5 EDUCATION, OR AN ENTITY ACTING ON ITS BEHALF, AN EMPLOYEE OF
6 AN INSTITUTION OF HIGHER EDUCATION OR A COLLEGE STUDENT
7 ATHLETE FOR ACTIVITY PERMITTED UNDER THIS ARTICLE OR FOR
8 DIRECTLY COMPENSATING A COLLEGE STUDENT ATHLETE FOR USE OF
9 THE COLLEGE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS.

10 (D) ROYALTY PAYMENT.--A PERSON THAT PRODUCES A COLLEGE TEAM
11 JERSEY, A COLLEGE TEAM VIDEO GAME OR COLLEGE TEAM TRADING CARDS
12 FOR THE PURPOSE OF MAKING A PROFIT SHALL MAKE A ROYALTY PAYMENT
13 TO EACH COLLEGE STUDENT ATHLETE WHOSE NAME, IMAGE, LIKENESS OR
14 OTHER INDIVIDUALLY IDENTIFIABLE FEATURE IS USED.

15 SECTION 2004-M. PROFESSIONAL REPRESENTATION.

16 (A) PROHIBITIONS.--

17 (1) AN INSTITUTION OF HIGHER EDUCATION, ATHLETIC
18 ASSOCIATION, CONFERENCE OR OTHER GROUP OR ORGANIZATION WITH
19 AUTHORITY OVER INTERCOLLEGIATE ATHLETICS, INCLUDING THE NCAA,
20 MAY NOT INTERFERE WITH OR PREVENT A COLLEGE STUDENT ATHLETE
21 FROM FULLY PARTICIPATING IN INTERCOLLEGIATE ATHLETICS FOR
22 OBTAINING PROFESSIONAL REPRESENTATION IN RELATION TO
23 CONTRACTS OR LEGAL MATTERS, INCLUDING REPRESENTATION PROVIDED
24 BY ATHLETE AGENTS OR LEGAL REPRESENTATION PROVIDED BY
25 ATTORNEYS, IN RELATION TO A COLLEGE STUDENT ATHLETE'S USE OF
26 THE COLLEGE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS RIGHTS.

27 (2) AN ATHLETIC ASSOCIATION, CONFERENCE OR OTHER GROUP
28 OR ORGANIZATION WITH AUTHORITY OVER INTERCOLLEGIATE
29 ATHLETICS, INCLUDING THE NCAA, MAY NOT PREVENT AN INSTITUTION
30 OF HIGHER EDUCATION FROM FULLY PARTICIPATING IN

1 INTERCOLLEGIATE ATHLETICS WITHOUT PENALTY TO THE INSTITUTION
2 OR INDIVIDUAL STUDENT AS A RESULT OF A COLLEGE STUDENT
3 ATHLETE OBTAINING PROFESSIONAL REPRESENTATION IN RELATION TO
4 CONTRACTS OR LEGAL MATTERS, INCLUDING REPRESENTATION PROVIDED
5 BY ATHLETE AGENTS OR LEGAL REPRESENTATION PROVIDED BY
6 ATTORNEYS, IN RELATION TO A COLLEGE STUDENT ATHLETE'S USE OF
7 THE COLLEGE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS RIGHTS.

8 (B) QUALIFICATIONS.--PROFESSIONAL REPRESENTATION OBTAINED BY
9 A COLLEGE STUDENT ATHLETE SHALL BE FROM A PERSON:

10 (1) ACTING AS AN ATHLETE AGENT IN ACCORDANCE WITH 5
11 PA.C.S. CH. 35 (RELATING TO ATHLETE AGENTS); OR

12 (2) ADMITTED TO PRACTICE LAW BY A COURT OF RECORD OF
13 THIS COMMONWEALTH.

14 (C) CONTENTS.--A CONTRACT BY WHICH A COLLEGE STUDENT ATHLETE
15 AUTHORIZES AN ATHLETE AGENT, ACTING IN ACCORDANCE WITH 5 PA.C.S.
16 CH. 35, TO NEGOTIATE OR SOLICIT COMPENSATION FOR THE USE OF THE
17 COLLEGE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS SHALL INCLUDE
18 A STATEMENT THAT THE CONTRACT DOES NOT OBLIGATE THE COLLEGE
19 STUDENT ATHLETE TO USE THE ATHLETE AGENT FOR ANY SERVICE BEYOND
20 PROFESSIONAL REPRESENTATION IN RELATION TO THE USE OF THE NAME,
21 IMAGE OR LIKENESS.

22 SECTION 2005-M. SCHOLARSHIPS.

23 (A) ELIGIBILITY.--EARNING COMPENSATION FROM THE USE OF A
24 COLLEGE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS RIGHTS MAY NOT
25 AFFECT THE COLLEGE STUDENT ATHLETE'S SCHOLARSHIP ELIGIBILITY,
26 DURATION OR RENEWAL.

27 (B) COMPENSATION.--

28 (1) FOR PURPOSES OF THIS ARTICLE, AN ATHLETICS GRANT-IN-
29 AID OR STIPEND SCHOLARSHIP FROM AN INSTITUTION OF HIGHER
30 EDUCATION IN WHICH A COLLEGE STUDENT ATHLETE IS ENROLLED MAY

1 NOT BE CONSIDERED TO LIMIT A COLLEGE STUDENT ATHLETE'S RIGHT
2 TO USE THE COLLEGE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS
3 RIGHTS, EXCEPT AS EXPRESSLY PROVIDED IN THIS SECTION.

4 (2) AN ATHLETICS GRANT-IN-AID OR STIPEND SCHOLARSHIP MAY
5 NOT BE REVOKED OR REDUCED AS A RESULT OF A COLLEGE STUDENT
6 ATHLETE EARNING COMPENSATION UNDER THIS ARTICLE, EXCEPT IF
7 OTHERWISE MANDATED BY FEDERAL OR STATE STUDENT AID
8 GUIDELINES.

9 SECTION 2006-M. CONTRACTS.

10 (A) OPPORTUNITIES.--AN INSTITUTION OF HIGHER EDUCATION,
11 ATHLETIC ASSOCIATION, CONFERENCE OR OTHER GROUP OR ORGANIZATION
12 WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETICS MAY NOT BE
13 REQUIRED TO IDENTIFY, CREATE, FACILITATE, NEGOTIATE OR ENABLE
14 OPPORTUNITIES FOR A COLLEGE STUDENT ATHLETE TO EARN COMPENSATION
15 FOR THE COLLEGE STUDENT ATHLETE'S USE OF THE COLLEGE STUDENT
16 ATHLETE'S NAME, IMAGE OR LIKENESS RIGHTS.

17 (B) USE OF TRADEMARKS.--THIS ARTICLE SHALL NOT ESTABLISH OR
18 GRANT A RIGHT TO A COLLEGE STUDENT ATHLETE TO USE THE NAME,
19 TRADEMARKS, SERVICES MARKS, LOGOS, SYMBOLS OR ANY OTHER
20 INTELLECTUAL PROPERTY, REGISTERED OR UNREGISTERED, OF AN
21 INSTITUTION OF HIGHER EDUCATION, ATHLETIC ASSOCIATION,
22 CONFERENCE OR OTHER GROUP OR ORGANIZATION WITH AUTHORITY OVER
23 INTERCOLLEGIATE ATHLETICS, IN FURTHERANCE OF THE COLLEGE STUDENT
24 ATHLETE'S OPPORTUNITIES TO EARN COMPENSATION FOR THE COLLEGE
25 STUDENT ATHLETE'S USE OF THE COLLEGE STUDENT ATHLETE'S NAME,
26 IMAGE OR LIKENESS RIGHTS.

27 (C) ENFORCEMENT.--THIS ARTICLE SHALL NOT LIMIT THE RIGHT OF
28 AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH AND ENFORCE ANY
29 OF THE FOLLOWING:

30 (1) ACADEMIC STANDARDS, REQUIREMENTS, REGULATIONS OR

OBLIGATIONS FOR THE INSTITUTION OF HIGHER EDUCATION'S COLLEGE
STUDENT ATHLETES.

(2) TEAM RULES OF CONDUCT OR OTHER RULES OF CONDUCT.

(3) STANDARDS OR POLICIES REGARDING THE GOVERNANCE OR
OPERATION OF OR PARTICIPATION IN INTERCOLLEGIATE ATHLETICS.

(4) DISCIPLINARY RULES AND STANDARDS GENERALLY
APPLICABLE TO ALL STUDENTS OF THE INSTITUTION OF HIGHER
EDUCATION.

(D) PROHIBITION.--A COLLEGE STUDENT ATHLETE MAY NOT EARN
COMPENSATION AS A RESULT OF THE USE OF THE COLLEGE STUDENT
ATHLETE'S NAME, IMAGE OR LIKENESS IN CONNECTION WITH A PERSON,
COMPANY OR ORGANIZATION RELATED TO OR ASSOCIATED WITH THE
DEVELOPMENT, PRODUCTION, DISTRIBUTION, WHOLESALING OR RETAILING
OF ANY OF THE FOLLOWING:

(1) ADULT ENTERTAINMENT PRODUCTS AND SERVICES.

(2) ALCOHOL PRODUCTS.

(3) CASINOS AND GAMBLING, INCLUDING SPORTS BETTING, THE
LOTTERY AND BETTING IN CONNECTION WITH VIDEO GAMES, ONLINE
GAMES AND MOBILE DEVICES.

(4) TOBACCO AND ELECTRONIC SMOKING PRODUCTS AND DEVICES.

(5) PRESCRIPTION PHARMACEUTICALS.

(6) A CONTROLLED DANGEROUS SUBSTANCE.

(E) PROHIBITION.--

(1) AN INSTITUTION OF HIGHER EDUCATION MAY PROHIBIT A
COLLEGE STUDENT ATHLETE'S INVOLVEMENT IN NAME, IMAGE OR
LIKENESS ACTIVITIES THAT CONFLICT WITH EXISTING INSTITUTIONAL
SPONSORSHIP ARRANGEMENTS AT THE TIME THE COLLEGE STUDENT
ATHLETE EXECUTES A CONTRACT OR DISCLOSES A CONTRACT TO THE
INSTITUTION OF HIGHER EDUCATION AS DESCRIBED UNDER SUBSECTION

(F).

1 (2) AN INSTITUTION OF HIGHER EDUCATION, AT THE
2 INSTITUTION OF HIGHER EDUCATION'S DISCRETION, MAY PROHIBIT A
3 COLLEGE STUDENT ATHLETE'S INVOLVEMENT IN NAME, IMAGE OR
4 LIKENESS ACTIVITIES BASED ON OTHER CONSIDERATIONS, SUCH AS
5 CONFLICT WITH INSTITUTIONAL VALUES, AS DEFINED BY THE
6 INSTITUTION OF HIGHER EDUCATION.

7 (3) AN INSTITUTION OF HIGHER EDUCATION SHALL HAVE
8 POLICIES THAT SPECIFY THE NAME, IMAGE OR LIKENESS ACTIVITIES
9 IN WHICH COLLEGE STUDENT ATHLETES MAY OR MAY NOT ENGAGE.

10 (F) DISCLOSURE.--THE FOLLOWING APPLY:

11 (1) A COLLEGE STUDENT ATHLETE WHO PROPOSES TO ENTER INTO
12 A CONTRACT PROVIDING COMPENSATION TO THE COLLEGE STUDENT
13 ATHLETE FOR USE OF THE COLLEGE STUDENT ATHLETE'S NAME, IMAGE
14 OR LIKENESS RIGHTS MAY DISCLOSE THE CONTENTS OF THE CONTRACT
15 PRIOR TO EXECUTION OF THE CONTRACT TO AN OFFICIAL OF THE
16 INSTITUTION OF HIGHER EDUCATION, WHO IS DESIGNATED BY THE
17 INSTITUTION OF HIGHER EDUCATION.

18 (2) AN INSTITUTION OF HIGHER EDUCATION MAY HAVE POLICIES
19 THAT SPECIFY WHEN THE CONTRACT SHOULD BE DISCLOSED AND THE
20 CONTENTS OF THE CONTRACT TO BE DISCLOSED IN ACCORDANCE WITH
21 PARAGRAPH (1).

22 (3) IF AN INSTITUTION OF HIGHER EDUCATION RECEIVES
23 DIRECT FINANCIAL COMPENSATION FROM A THIRD PARTY ARISING FROM
24 THE THIRD PARTY'S CONTRACT WITH A COLLEGE STUDENT ATHLETE
25 RELATING TO THE USE OF A COLLEGE STUDENT ATHLETE'S NAME,
26 IMAGE OR LIKENESS, THE INSTITUTION SHALL BE REQUIRED TO
27 DISCLOSE IN A TIMELY MANNER THE FINANCIAL RELATIONSHIP
28 BETWEEN THE INSTITUTION AND THE THIRD PARTY TO THE COLLEGE
29 STUDENT ATHLETE. THIS SECTION SHALL NOT APPLY TO COMPENSATION
30 RECEIVED BY THE INSTITUTION OF HIGHER EDUCATION FOR THE USE

1 OF THE INSTITUTION'S INTELLECTUAL PROPERTY.

2 SECTION 2007-M. VIOLATIONS AND CLAIMS.

3 (A) PROTECTIONS AND RIGHT TO ADJUDICATE.--A COLLEGE STUDENT
4 ATHLETE, INSTITUTION OF HIGHER EDUCATION OR CONFERENCE SHALL NOT
5 BE DEPRIVED OF A PROTECTION PROVIDED UNDER STATE LAW WITH
6 RESPECT TO A CONTROVERSY THAT ARISES IN THIS COMMONWEALTH AND
7 SHALL HAVE THE RIGHT TO ADJUDICATION IN THIS COMMONWEALTH OF A
8 CLAIM THAT ARISES IN THIS COMMONWEALTH.

9 (B) PRIVATE CIVIL ACTION.--A COLLEGE STUDENT ATHLETE SHALL
10 HAVE THE RIGHT TO PURSUE A PRIVATE CIVIL ACTION AGAINST A PERSON
11 THAT VIOLATES THIS ARTICLE. THE COURT SHALL AWARD COSTS AND
12 REASONABLE ATTORNEY FEES TO A PREVAILING PLAINTIFF IN AN ACTION
13 BROUGHT AGAINST A PERSON VIOLATING THIS ARTICLE.

14 SECTION 2008-M. SETTLEMENTS.

15 LEGAL SETTLEMENTS MADE ON OR AFTER JUNE 30, 2021, MAY NOT
16 PERMIT NONCOMPLIANCE WITH THIS ARTICLE.

17 SECTION 2009-M. SEVERABILITY.

18 THE PROVISIONS OF THIS ARTICLE ARE SEVERABLE. IF ANY
19 PROVISION OF THIS ARTICLE OR THE APPLICATION OF ANY PROVISION OF
20 THIS ARTICLE IS HELD TO BE INVALID, THAT INVALIDITY SHALL NOT
21 AFFECT ANY OTHER PROVISION OR APPLICATION OF ANY OTHER PROVISION
22 THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR
23 APPLICATION.

24 SECTION 4. SECTION 2204-B(B) OF THE ACT IS AMENDED TO READ:
25 SECTION 2204-B. AGENCY.

26 * * *

27 (B) ELIGIBILITY CRITERIA.--THE ELIGIBILITY CRITERIA
28 DEVELOPED FOR THE RECEIPT OF A SCHOLARSHIP UNDER SUBSECTION (A)
29 SHALL, AT A MINIMUM, REQUIRE ALL OF THE FOLLOWING:

30 (1) TOTAL ANNUAL HOUSEHOLD INCOME NOT TO EXCEED

1 [\$126,000] \$175,000. WITH EACH NEW AWARD YEAR, THE AGENCY MAY
2 ANNUALLY ADJUST THE TOTAL ANNUAL HOUSEHOLD INCOME THRESHOLD
3 UNDER THIS PARAGRAPH TO REFLECT ANY UPWARD CHANGES IN THE
4 CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE
5 PENNSYLVANIA, NEW JERSEY, DELAWARE AND MARYLAND AREA.

6 (2) AT LEAST HALF-TIME ENROLLMENT IN AN APPROVED COURSE
7 OF STUDY.

8 (3) DEMONSTRATION OF A GRADE POINT AVERAGE OF AT LEAST
9 [3.25] 2.5 ON A 4.0 SCALE.

10 (4) COMPLIANCE WITH ALL ASPECTS OF THE STATE GRANT
11 PROGRAM EXCEPT FINANCIAL NEED.

12 * * *

13 SECTION 5. REPEALS ARE AS FOLLOWS:

14 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
15 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF
16 ARTICLE XX-M OF THE ACT.

17 (2) 5 PA.C.S. CH. 37 IS REPEALED.

18 SECTION 6. THE ADDITION OF ARTICLE XX-M OF THE ACT IS A
19 CONTINUATION OF 5 PA.C.S. CH. 37. ALL ACTIVITIES INITIATED UNDER
20 5 PA.C.S. CH. 37 SHALL CONTINUE AND REMAIN IN FULL FORCE AND
21 EFFECT AND MAY BE COMPLETED UNDER ARTICLE XX-M OF THE ACT.

22 ORDERS, REGULATIONS, RULES AND DECISIONS WHICH WERE MADE UNDER 5
23 PA.C.S. CH. 37 AND WHICH ARE IN EFFECT ON THE EFFECTIVE DATE OF
24 SECTION 5(2) OF THIS ACT SHALL REMAIN IN FULL FORCE AND EFFECT
25 UNTIL REVOKED, VACATED OR MODIFIED UNDER ARTICLE XX-M OF THE
26 ACT. CONTRACTS, OBLIGATIONS AND COLLECTIVE BARGAINING AGREEMENTS
27 ENTERED INTO UNDER 5 PA.C.S. CH. 37 ARE NOT AFFECTED NOR
28 IMPAIRED BY THE REPEAL OF 5 PA.C.S. CH. 37.

29 SECTION 7. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.