

House Bill 320 (AS PASSED HOUSE AND SENATE)

By: Representatives Williams of the 119th, Ramsey of the 72nd, Carter of the 175th, Hatchett of the 150th, Peake of the 141st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
2 relating to scholarships, loans, and grants, so as to provide that public disclosure of certain
3 records held by the Georgia Student Finance Commission, the Georgia Higher Education
4 Assistance Corporation, and the Georgia Student Finance Authority is not required; to
5 provide, without judicial action, for the garnishment of pay, loss of a professional license,
6 offset of lottery winnings, and offset of a state tax refund for amounts owed to the Georgia
7 Student Finance Commission and the Georgia Student Finance Authority; to provide for
8 definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to
12 scholarships, loans, and grants, is amended in Code Section 20-3-236, relating to the powers
13 and duties of the Georgia Student Finance Commission, by designating the existing text as
14 subsection (a) and by adding two new subsections to read as follows:

15 "(b) Pursuant to Code Section 50-18-70, the commission shall not disclose and shall keep
16 confidential, in each case unless identifying information has been redacted:

17 (1) Records that include information identifying a student or former student by name,
18 address except for ZIP Code, telephone number, or emergency contact; and

19 (2) Records that reveal an individual's social security number, mother's birth name, credit
20 card information, debit card information, bank account information, account number,
21 utility account number, password used to access his or her account, financial data or
22 information, insurance or medical information in all records, unlisted telephone number
23 if so designated in a public record, personal e-mail address or cellular telephone number,
24 or month and day of birth.

25 (c) Except as prohibited by federal or state law, individuals who owe any amount to the
26 commission relating to any scholarship or grant made by the commission, including

27 repayments and refunds, are, without judicial action, subject to garnishment of their pay,
 28 loss of a professional license, offset of lottery winnings, and offset of a state tax refund in
 29 accordance with rules and regulations promulgated by the commission. As used in this
 30 subsection, the term 'refund' means scholarship and grant amounts paid to or on behalf of
 31 individuals, in accordance with rules and regulations promulgated by the commission,
 32 subsequently determined to be ineligible to receive such scholarship and grant amounts.
 33 The remedies set forth in this subsection shall be in addition to all other remedies available
 34 at law and in equity."

35 **SECTION 2.**

36 Said article is further amended in Code Section 20-3-266, relating to the powers and duties
 37 of the Georgia Higher Education Assistance Corporation, by designating the existing text as
 38 subsection (a) and by adding a new subsection to read as follows:

39 "(b) Pursuant to Code Section 50-18-70, the corporation shall not disclose and shall keep
 40 confidential, in each case unless identifying information has been redacted:

41 (1) Records that include information identifying a student or former student by name,
 42 address except for ZIP Code, telephone number, or emergency contact; and

43 (2) Records that reveal an individual's social security number, mother's birth name, credit
 44 card information, debit card information, bank account information, account number,
 45 utility account number, password used to access his or her account, financial data or
 46 information, insurance or medical information in all records, unlisted telephone number
 47 if so designated in a public record, personal e-mail address or cellular telephone number,
 48 or month and day of birth."

49 **SECTION 3.**

50 Said article is further amended in Code Section 20-3-316, relating to the powers and duties
 51 of the Georgia Student Finance Authority, by designating the existing text as subsection (a)
 52 and by adding two new subsections to read as follows:

53 "(b) Pursuant to Code Section 50-18-70, the authority shall not disclose and shall keep
 54 confidential, in each case unless identifying information has been redacted:

55 (1) Records that include information identifying a student or former student by name,
 56 address except for ZIP Code, telephone number, or emergency contact; and

57 (2) Records that reveal an individual's social security number, mother's birth name, credit
 58 card information, debit card information, bank account information, account number,
 59 utility account number, password used to access his or her account, financial data or
 60 information, insurance or medical information in all records, unlisted telephone number

61 if so designated in a public record, personal e-mail address or cellular telephone number,
62 or month and day of birth.
63 (c) Except as prohibited by federal or state law, individuals who owe any amount to the
64 authority relating to any loan, scholarship, or grant made by the authority, including loan
65 repayments and refunds, are, without judicial action, subject to garnishment of their pay,
66 loss of a professional license, offset of lottery winnings, and offset of a state tax refund in
67 accordance with rules and regulations promulgated by the authority. As used in this
68 subsection, the term 'refund' means scholarship and grant amounts paid to or on behalf of
69 individuals, in accordance with rules and regulations promulgated by the authority,
70 subsequently determined to be ineligible to receive such scholarship and grant amounts.
71 The remedies set forth in this subsection shall be in addition to all other remedies available
72 at law and in equity."

73

SECTION 4.

74 All laws and parts of laws in conflict with this Act are repealed.