

**PUBLIC CHAPTER NO. 1141**

**SENATE BILL NO. 2899**

**By McNally, Ford, Watson, Tate, Berke**

Substituted for: House Bill No. 3479

By Matlock, Montgomery, Ramsey, Cooper, Kevin Brooks, Armstrong, Camper, McCormick, Dean, Tindell, Faulkner, Gilmore, Brown, Campfield, Fitzhugh, Bone, Harry Brooks

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 4, Part 9, relative to postsecondary financial assistance from net lottery proceeds.

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

SECTION 1. Tennessee Code Annotated, Section 49-4-902, is amended by deleting subdivision (11) in its entirety and by substituting instead the following language:

(11) "Eligible independent postsecondary institution" means:

(A) An institution created by testamentary trust for which the state acts by statute as trustee and for which the governor is authorized to appoint commissioners with the advice and consent of the Senate and that offers courses leading to undergraduate degrees;

(B) A private postsecondary institution accredited by a regional accrediting association that has its primary campus domiciled in this state;

(C) A private, four-year or two-year postsecondary institution that:

(i) Has been chartered in this state as a not-for-profit entity for at least thirty (30) consecutive years;

(ii) Has had its primary campus domiciled in this state for at least thirty (30) consecutive years;

(iii) Is a member of an accrediting agency that is recognized by the United States Department of Education and the Council on Higher Education Accreditation;

(iv) Awards associate or baccalaureate degrees; and

(v) Has an articulation agreement with an institution of the state university and community college system or the University of Tennessee system; or

(D) A private four-year postsecondary institution that:

(i) Has been chartered in this state as a not-for-profit entity for at least one hundred (100) years;

(ii) Has had its primary campus domiciled in this state for at least one hundred twenty-five (125) years;

(iii) Awards baccalaureate degrees; and

(iv) Requires all students to participate in a four-level college work program in which students provide services to the institution and to the community;

SECTION 2. For the 2010-2011 academic year, eligibility for a Tennessee HOPE scholarship at private postsecondary institutions that were not eligible independent postsecondary institutions during the 2009-2010 academic year, but which qualify as eligible independent postsecondary institutions for the 2010-2011 academic year as the result of the modifications made to the definition of "eligible independent postsecondary institution" in Section 1 of this act, shall be limited to only those students who meet all applicable academic and general requirements for the scholarship and who are entering freshmen. TSAC shall publish this restriction concerning scholarship eligibility for the 2010-2011 academic year at such institutions on its Web site and in any publication, published after the effective date of this act, which indicates that such institutions are eligible independent postsecondary institutions for the 2010-2011 academic year. Any such institution shall publish this restriction concerning scholarship eligibility for the 2010-2011 academic year on its Web site and in any publication which indicates that such institution is an eligible independent postsecondary institution for the 2010-2011 academic year.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to students seeking postsecondary financial assistance from net lottery proceeds for academic year 2010-2011 and academic years thereafter.

**PASSED: June 4, 2010**

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 30th day of June 2010**



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PHIL BREDESEN, GOVERNOR