

Requested by SENATE COMMITTEE ON EDUCATION

**PROPOSED AMENDMENTS TO  
SENATE BILL 958**

1 On page 1 of the printed bill, delete lines 4 through 24 and delete pages  
2 2 through 4 and insert:

3 **“SECTION 1. Sections 2 to 4 of this 2019 Act are added to and made**  
4 **a part of ORS chapter 348.**

5 **“SECTION 2. (1) As used in sections 2 to 4 of this 2019 Act:**

6 **“(a) ‘Eligible student’ means an individual who:**

7 **“(A) Is enrolled in sufficient credit hours to be considered at least**  
8 **a half-time student in a baccalaureate or graduate degree program at**  
9 **a public university;**

10 **“(B) Is making satisfactory academic progress, as defined by the**  
11 **Higher Education Coordinating Commission by rule, at the public**  
12 **university;**

13 **“(C) Is exempted from paying nonresident tuition under ORS**  
14 **352.287;**

15 **“(D) Has completed and submitted to the commission the Free Ap-**  
16 **plication for Federal Student Aid, or an equivalent Oregon application**  
17 **established by the commission by rule; and**

18 **“(E) Is not incarcerated.**

19 **“(b) ‘Loan recipient’ means an eligible student who has received a**  
20 **loan under the Dreamers Access Program.**

21 **“(c) ‘Public university’ means:**

1       **“(A) A public university listed in ORS 352.002; or**

2       **“(B) Oregon Health and Science University.**

3       **“(2) The Dreamers Access Program is established within the Higher**  
4 **Education Coordinating Commission, to be administered pursuant to**  
5 **rules adopted by the commission. The commission may enter into any**  
6 **contracts necessary to implement sections 2 to 4 of this 2019 Act.**

7       **“(3) The commission shall determine:**

8       **“(a) Whether each individual who has completed and submitted to**  
9 **the commission an application described in subsection (1)(a)(D) of this**  
10 **section is an eligible student;**

11       **“(b) Whether each individual identified in paragraph (a) of this**  
12 **subsection has a financial need for the academic year such that, in the**  
13 **opinion of the commission, a loan is warranted, taking into consider-**  
14 **ation the availability of an Oregon Opportunity Grant for the appli-**  
15 **cant; and**

16       **“(c) Subject to subsection (6) of this section, the dollar amount of**  
17 **the loan.**

18       **“(4) If the commission determines under subsection (3) of this sec-**  
19 **tion that an applicant is an eligible student and that a loan is war-**  
20 **ranted, the commission shall award a loan to the eligible student**  
21 **under the program.**

22       **“(5) A loan recipient may apply for an additional loan under this**  
23 **section each academic year. The commission shall by rule establish**  
24 **academic standards and benchmarks that a loan recipient must meet**  
25 **to qualify for additional loans.**

26       **“(6) A loan recipient may not receive Dreamers Access Program**  
27 **loans that exceed:**

28       **“(a) For an undergraduate student, the lesser of:**

29       **“(A) An amount per academic year that is established by the com-**  
30 **mission by rule to equal the maximum amount of Federal Stafford**

1 **Loans, or their successor, that a dependent undergraduate student**  
2 **could receive; or**

3 **“(B) The financial need of the loan recipient for an academic year,**  
4 **as determined in subsection (3)(b) of this section.**

5 **“(b) For a graduate student, the lesser of:**

6 **“(A) \$10,000 in any academic year; or**

7 **“(B) The financial need of the loan recipient for an academic year,**  
8 **as determined in subsection (3)(b) of this section.**

9 **“(c) An aggregate total of \$50,000.**

10 **“(7) Each public university shall provide loan recipients with en-**  
11 **trance and exit loan counseling that is comparable to the counseling**  
12 **the public university is required to provide to recipients of federal**  
13 **student loans.**

14 **“(8)(a) The commission shall establish the interest rate or rates for**  
15 **loans awarded under this section in the manner described in section**  
16 **3 of this 2019 Act.**

17 **“(b) The standard repayment term for a loan awarded under this**  
18 **section is 10 years. Repayment by a loan recipient shall begin following**  
19 **a six-month grace period that begins when a loan recipient graduates**  
20 **or is no longer enrolled in sufficient credit hours to be considered at**  
21 **least a half-time student in a baccalaureate or graduate degree pro-**  
22 **gram at a public university.**

23 **“(c) Interest may not accrue on a loan awarded under this section**  
24 **during:**

25 **“(A) Periods when the loan recipient is enrolled in sufficient credit**  
26 **hours to be considered at least a half-time student in a baccalaureate**  
27 **or graduate degree program at a public university; or**

28 **“(B) The six-month grace period described in paragraph (b) of this**  
29 **subsection.**

30 **“(9) All moneys from repayment of loans awarded under this section**

1 shall be deposited in the Dreamers Access Program Fund established  
2 in section 4 of this 2019 Act.

3 “(10) Eligibility for deferment or forbearance of a loan awarded  
4 under this section shall be determined by the commission in a manner  
5 that is consistent with the standards used to determine deferment or  
6 forbearance of federal student loans.

7 “(11) If a loan recipient defaults on the repayment of a loan awarded  
8 under this section, the commission may:

9 “(a) Have any amounts due be collected by the Collections Unit in  
10 the Department of Revenue under ORS 293.250; and

11 “(b) Report the loan recipient’s default to a consumer reporting  
12 agency as defined in ORS 646A.602.

13 **“SECTION 3. The Higher Education Coordinating Commission shall:**

14 **“(1) Adopt rules to administer the Dreamers Access Program es-**  
15 **tablished in section 2 of this 2019 Act.**

16 **“(2) Develop a master promissory note to be used for loans awarded**  
17 **under the program.**

18 **“(3) Subject to subsection (1) of this section, for each loan awarded**  
19 **under the program, service the loan, collect all loan payments and**  
20 **perform all due diligence required by the federal Fair Credit Reporting**  
21 **Act (15 U.S.C. 1681 et seq.) and any other applicable laws.**

22 **“(4) Establish the interest rate to be used for loans awarded under**  
23 **the program. In determining the interest rate to be used, the com-**  
24 **mission must consider:**

25 **“(a) The risk that loan recipients will default on the repayment of**  
26 **the loans; and**

27 **“(b) The effect the interest rate will have on the cost for loan re-**  
28 **ipients to repay the loans.**

29 **“(5) Track and record the dollar amount of loans awarded to each**  
30 **loan recipient under the program:**

- 1       “(a) For each academic year; and  
2       “(b) As an aggregate total amount.

3       **“SECTION 4. (1) The Dreamers Access Program Fund is established**  
4 **in the State Treasury, separate and distinct from the General Fund.**  
5 **Amounts in the Dreamers Access Program Fund may be invested as**  
6 **provided in ORS 293.701 to 293.857. Interest earned by the Dreamers**  
7 **Access Program Fund shall be credited to the fund. Moneys in the**  
8 **fund are continuously appropriated to the Higher Education Coordinating**  
9 **Commission for the purpose of awarding loans and administering**  
10 **the Dreamers Access Program under sections 2 and 3 of this 2019**  
11 **Act.**

12       **“(2) The fund shall consist of:**

13       **“(a) Moneys received as repayment of loans awarded under the**  
14 **Dreamers Access Program;**

15       **“(b) Moneys appropriated or otherwise transferred to the fund by**  
16 **the Legislative Assembly;**

17       **“(c) Moneys received from federal, state or local sources;**

18       **“(d) Amounts donated to the fund;**

19       **“(e) Investment earnings received on moneys in the fund; and**

20       **“(f) Other amounts deposited in the fund from any source, public**  
21 **or private.**

22       **“SECTION 5. The Higher Education Coordinating Commission shall**  
23 **file with the interim committees of the Legislative Assembly related**  
24 **to higher education, in the manner provided in ORS 192.245, a biennial**  
25 **report that states:**

26       **“(1) The mean and median dollar amount of loans awarded during**  
27 **the previous biennium under the Dreamers Access Program estab-**  
28 **lished in section 2 of this 2019 Act.**

29       **“(2) The total number of students who received a loan under the**  
30 **program during the previous biennium.**

1       **“(3) The total amount of moneys within the Dreamers Access Pro-**  
2 **gram Fund established in section 4 of this 2019 Act at the end of the**  
3 **most recent academic year.**

4       **“(4) The total amount of moneys appropriated or otherwise provided**  
5 **to the fund by the Legislative Assembly during the current biennium.**

6       **“(5) The commission’s annual administrative costs for administer-**  
7 **ing the Dreamers Access Program established in section 2 of this 2019**  
8 **Act.**

9       **“SECTION 6. Sections 2 and 3 of this 2019 Act first apply to loans**  
10 **for the 2020-2021 academic year.**

11       **“SECTION 7. The Higher Education Coordinating Commission shall**  
12 **submit the first biennial reports required under section 5 of this 2019**  
13 **Act no later than December 1, 2022.**

14       **“SECTION 8. This 2019 Act takes effect on the 91st day after the**  
15 **date on which the 2019 regular session of the Eightieth Legislative**  
16 **Assembly adjourns sine die.”.**

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