SB 958-1
(LC 4247)
3/15/19 (DRG/ps)

Requested by SENATE COMMITTEE ON EDUCATION

PROPOSED AMENDMENTS TO SENATE BILL 958

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

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

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

"(a) 'Eligible student' means an individual who:

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

"(B) Is making satisfactory academic progress, as defined by the Higher Education Coordinating Commission by rule, at the public university;

"(C) Is exempted from paying nonresident tuition under ORS 352.287;

"(D) Has completed and submitted to the commission the Free Application for Federal Student Aid, or an equivalent Oregon application established by the commission by rule; and

"(E) Is not incarcerated.

"(b) 'Loan recipient' means an eligible student who has received a loan under the Dreamers Access Program.

"(c) 'Public university' means:

"(A) A public university listed in ORS 352.002; or

"(B) Oregon Health and Science University.

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

"(3) The commission shall determine:

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

"(b) Whether each individual identified in paragraph (a) of this subsection has a financial need for the academic year such that, in the opinion of the commission, a loan is warranted, taking into consideration the availability of an Oregon Opportunity Grant for the applicant; and

"(c) Subject to subsection (6) of this section, the dollar amount of the loan.

"(4) If the commission determines under subsection (3) of this section that an applicant is an eligible student and that a loan is warranted, the commission shall award a loan to the eligible student under the program.

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

"(6) A loan recipient may not receive Dreamers Access Program loans that exceed:

"(a) For an undergraduate student, the lesser of:

"(A) An amount per academic year that is established by the commission by rule to equal the maximum amount of Federal Stafford

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

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

"(b) For a graduate student, the lesser of:

"(A) $10,000 in any academic year; or

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

"(c) An aggregate total of $50,000.

"(7) Each public university shall provide loan recipients with entrance and exit loan counseling that is comparable to the counseling the public university is required to provide to recipients of federal student loans.

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

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

"(c) Interest may not accrue on a loan awarded under this section during:

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

"(B) The six-month grace period described in paragraph (b) of this subsection.

"(9) All moneys from repayment of loans awarded under this section

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

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

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

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

"(b) Report the loan recipient's default to a consumer reporting agency as defined in ORS 646A.602.

"<u>SECTION 3.</u> The Higher Education Coordinating Commission shall:

"(1) Adopt rules to administer the Dreamers Access Program established in section 2 of this 2019 Act.

"(2) Develop a master promissory note to be used for loans awarded under the program.

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

"(4) Establish the interest rate to be used for loans awarded under the program. In determining the interest rate to be used, the commission must consider:

"(a) The risk that loan recipients will default on the repayment of the loans; and

"(b) The effect the interest rate will have on the cost for loan recipients to repay the loans.

"(5) Track and record the dollar amount of loans awarded to each loan recipient under the program:

"(a) For each academic year; and

"(b) As an aggregate total amount.

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

"(2) The fund shall consist of:

"(a) Moneys received as repayment of loans awarded under the Dreamers Access Program;

"(b) Moneys appropriated or otherwise transferred to the fund by the Legislative Assembly;

"(c) Moneys received from federal, state or local sources;

"(d) Amounts donated to the fund;

"(e) Investment earnings received on moneys in the fund; and

"(f) Other amounts deposited in the fund from any source, public or private.

"<u>SECTION 5.</u> The Higher Education Coordinating Commission shall file with the interim committees of the Legislative Assembly related to higher education, in the manner provided in ORS 192.245, a biennial report that states:

"(1) The mean and median dollar amount of loans awarded during the previous biennium under the Dreamers Access Program established in section 2 of this 2019 Act.

"(2) The total number of students who received a loan under the program during the previous biennium.

"(3) The total amount of moneys within the Dreamers Access Program Fund established in section 4 of this 2019 Act at the end of the most recent academic year.

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

"(5) The commission's annual administrative costs for administering the Dreamers Access Program established in section 2 of this 2019 Act.

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

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

"SECTION 8. This 2019 Act takes effect on the 91st day after the date on which the 2019 regular session of the Eightieth Legislative Assembly adjourns sine die.".