

DECLARATION OF EMERGENCY
Tuition Trust Authority
Office of Student Financial Assistance
START Savings Program
(LAC 28:VI.301)

The Louisiana Tuition Trust Authority (LATTA) is exercising the emergency provisions of the Administrative Procedure Act [R.S. 49:953(B)] to amend rules of the Student Tuition Assistance and Revenue Trust (START Saving) Program (R.S. 17:3091 *et seq.*).

This rulemaking revises the residency requirements for account owners and beneficiaries to include individuals who are lawfully residing in the United States and have a valid social security number.

The emergency rules are necessary to allow the LATTA and educational institutions to effectively administer these programs. A delay in promulgating rules would have an adverse impact on the financial welfare of the students and the financial condition of their families. LATTA has determined that these emergency rules are necessary in order to prevent imminent financial peril to the welfare of the affected students.

This declaration of emergency is effective on November 18, 2014, and shall remain in effect for the maximum period allowed under the Administrative Procedure Act. (ST15157E)

Title 28
EDUCATION
Part VI. Student Financial
Assistance—Higher Education
Savings
Chapter 3. Education Savings
Account

§301. Education Savings Accounts

A. – E.2. ...

F. Citizenship Requirements. Both an account owner who is not a legal entity and the beneficiary must meet the following citizenship requirements:

1. be a United States citizen; or
2. be a permanent resident of the United States as defined by the U.S. Citizenship and Immigration Services (USCIS) or its successor and provide copies of USCIS documentation with the submission of the owner's agreement; or
3. be lawfully residing in the United States and have a valid social security number.

G. – H.2. ...

3. By signing the owner's agreement:
 - a. the account owner who is a natural person, other than a natural person classified as an account owner under §303.A.5, certifies that:

- i. both account owner and beneficiary are United States citizens or permanent residents of the United States as defined by the U.S. Citizenship and Immigration Services (USCIS) or its successor or be lawfully residing in the United States and have a valid social security number; and

- a. if permanent residents have provided copies of USCIS documentation with the submission of the application and owner's agreement, or

- (b). if in the United States lawfully with a valid social security number have provided the visa or other document(s) from the USCIS evidencing lawful residency and a copy of the social security card from the Social Security Administration; and

- ii. the information provided in the application is true and correct;

H.3.b – I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:713 (June 1997), amended LR 24:436 (March 1998), LR 24:1269 (July 1998), LR 25:1794 (October 1999), LR 26:2262 (October 2000), LR 27:1878 (November 2001), LR 28:450 (March 2002), LR 28:778 (April 2002), LR 28:2334 (November 2002), LR 30:786 (April 2004), LR 33:443 (March 2007), LR 36:313 (February 2010).

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