

**MILITARY TUITION WAIVER AMENDMENTS**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Curtis Oda**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions related to tuition waivers for military members.

**Highlighted Provisions:**

This bill:

- ▶ amends provisions related to tuition waivers for members of the Utah National Guard; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53B-8-101**, as last amended by Laws of Utah 2013, Chapters 10, 23, and 465

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53B-8-101** is amended to read:

**53B-8-101. Waiver of tuition.**

(1) ~~[(a) The]~~ A president of ~~[each]~~ an institution of higher education may waive all or part of the tuition ~~[in]~~ on behalf of meritorious or impecunious resident students to an amount



28 not exceeding 10% of the total amount of tuition which, in the absence of the waivers, would  
29 have been collected from all Utah resident students at the institution.

30 ~~[(b)]~~ (2) (a) Two and a half percent of the waivers designated in Subsection (1)~~[(a)]~~  
31 shall be set aside for members of the Utah National Guard. ~~[Waivers]~~

32 (b) Except as provided in Subsection (2)(c)(ii), waivers granted under this Subsection  
33 (2) shall be ~~[preserved]~~ claimed by the student at least ~~[60]~~ 30 days before the beginning of an  
34 academic term.

35 (c) A tuition waiver granted under this Subsection (2):

36 (i) may be a full or partial waiver of the cost of resident tuition; and

37 (ii) may not be used for an online course, unless:

38 (A) the tuition waiver is set aside as described in Subsection (2)(a);

39 (B) the tuition waiver is not claimed by a student at least 30 days before the beginning  
40 of an academic term; and

41 (C) the online course meets eligibility requirements as established in board rule.

42 (d) (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
43 the board shall, after consultation with the Utah National Guard, make rules that govern the  
44 procedures related to a tuition waiver under this Subsection (2).

45 (ii) The rules described in Subsection (2)(d)(i) shall include rules establishing  
46 eligibility requirements for an online course as described in Subsection (2)(c)(ii)(C).

47 ~~[(2)]~~ (3) (a) A president of an institution of higher education listed in Subsections  
48 [53B-2-101](#)(1)(a) through (h) may waive all or part of the nonresident portion of tuition for a  
49 meritorious nonresident undergraduate student.

50 (b) In determining which students are meritorious for purposes of granting a tuition  
51 waiver under Subsection ~~[(2)]~~ (3)(a), a president shall consider students who are performing  
52 above the average at the institution, including having an admissions index higher than the  
53 average for the institution, if an admissions index is used.

54 (c) A president may continue to waive the nonresident portion of tuition for a student  
55 described in Subsection ~~[(2)]~~ (3)(a) for as long as the student is enrolled at the institution.

56 (d) In addition to waiving the nonresident portion of tuition for a meritorious  
57 nonresident student under Subsection ~~[(2)]~~ (3)(a), a president may waive the resident portion of  
58 tuition after the meritorious nonresident student completes a year of full-time study at the

59 institution.

60 ~~[(3)]~~ (4) Upon recommendation of the board, a president shall grant additional full or  
61 partial tuition waivers to encourage students to enroll for instruction in occupations critical to  
62 the state for which trained personnel are in short supply.

63 ~~[(4)]~~ (5) A president may waive all or part of the difference between resident and  
64 nonresident tuition in the case of:

65 (a) meritorious graduate students; or

66 (b) nonresident summer school students.

67 ~~[(5)]~~ (6) The board shall submit annual budget appropriation requests for each  
68 institution, which include requests for funds sufficient in amount to equal the estimated loss of  
69 dedicated credits that would be realized if all of the tuition waivers authorized by Subsection  
70 ~~[(2)]~~ (3) were granted.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**