

1 **UTAH NATIONAL GUARD TUITION**

2 **ASSISTANCE**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Bradley T. Johnson**

6 AN ACT RELATING TO MILITIAS AND ARMORIES; PROVIDING FOR TUITION
7 ASSISTANCE FOR ACTIVE NATIONAL GUARD MEMBERS ATTENDING
8 POSTSECONDARY INSTITUTIONS, INCLUDING APPLIED TECHNOLOGY CENTERS;
9 APPROPRIATING ~~§ [\$200,000]~~ **\$100,000** ~~§~~ ; MAKING TECHNICAL CORRECTIONS; AND
9a PROVIDING
10 AN EFFECTIVE DATE.

11 This act affects sections of Utah Code Annotated 1953 as follows:

12 AMENDS:

13 **39-1-63**, as last amended by Chapter 144, Laws of Utah 1979

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

15 Section 1. Section **39-1-63** is amended to read:

16 **39-1-63. Tuition assistance for National Guard members -- Use and allocation --**
17 **Appropriation.**

18 (1) ~~[There shall be available to individual members of the]~~ The Utah National Guard
19 ~~[scholarships]~~ may provide tuition assistance to members for ~~[undergraduate]~~ study at
20 postsecondary institutions of learning, including Applied Technology Centers, subject to the
21 following requirements:

22 (a) The individual must be, at the time he or she receives the ~~[benefits]~~ assistance, an
23 active member of the Utah National Guard.

24 (b) The ~~[benefit hereunder shall be]~~ assistance is for tuition only and shall be ~~[equal to]~~
25 not more than the resident tuition for the actual course of postsecondary study engaged in by the
26 individual.

27 ~~[(c) The scholarship shall be payable only to individuals not eligible to receive scholastic~~

1 financial assistance from the federal government by reason of having been a member of the armed
2 forces of the United States.]

3 (2) Tuition assistance shall be awarded for each academic year. Students may apply **h** TO
3a **THE ADJUTANT GENERAL **h** for**
4 assistance for each year during which he or she is an active member of the Utah National Guard.

4a **h IN AWARDING ASSISTANCE, THE ADJUTANT GENERAL SHALL CONSIDER THE RECRUITMENT**
4b **AND RETENTION NEEDS OF THE NATIONAL GUARD. **h****

5 [~~(2)~~] (3) [Scholarships provided hereunder are] Tuition assistance is to be paid by the
6 adjutant general of the state [~~of Utah~~] directly to the institutions involved from the [~~fund~~] funds
7 appropriated [hereunder].

8 [~~(3)~~] (4) The adjutant general of the state [~~of Utah~~] shall [~~have the power to~~] establish
9 [~~such~~] regulations, procedures, forms, and reports [~~as are~~] necessary to administer the allocation
10 of [~~scholarships~~] assistance and [~~payments~~] payment of funds under this [~~act~~] section.

11 [~~(4)~~] There is appropriated annually to the adjutant general out of the General Fund the sum
12 of not to exceed \$25,000 as specified in the annual appropriation bill. These funds shall be
13 expended for the granting of scholarships in accordance with this act.]

14 (5) The adjutant general shall include a request each year for funds for this program in the
15 annual budget for the National Guard.

15a **§ (6) A PERSON WHO TRANSFERS FROM THE SELECT RESERVE TO THE NATIONAL GUARD**
15b **IS NOT ELIGIBLE FOR THE TUITION ASSISTANCE IN THIS SECTION FOR ONE YEAR FROM THE DATE**
15c **OF TRANSFER. §**

16 Section 2. **Appropriation.**

17 There is appropriated from the Uniform School Fund for fiscal year 1998-99 § [~~\$200,000~~]
17a **\$100,000 § to**
18 the Utah National Guard to be used for post-secondary education tuition assistance for active
19 members of the National Guard.

20 Section 3. **Effective date.**

21 This act takes effect on July 1, 1998.

Legislative Review Note

as of 1-16-98 11:08 AM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

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lilac-February 6, 1998

Amend on 3—goldenrod February 27, 1998