

1 **TUITION ASSISTANCE FOR SERVICE**

2 **MEMBERS**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: David H. Steele**

6 AN ACT RELATING TO EDUCATION; PROVIDING FOR TUITION ASSISTANCE FOR
7 ACTIVE NATIONAL GUARD AND RESERVE COMPONENT MEMBERS ATTENDING
8 POSTSECONDARY INSTITUTIONS, INCLUDING APPLIED TECHNOLOGY CENTERS;
9 PROVIDING FOR A TUITION ASSISTANCE COMMITTEE; APPROPRIATING \$300,000;
10 AND PROVIDING AN EFFECTIVE DATE.

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

12 ENACTS:

13 **53B-8d-101**, Utah Code Annotated 1953

14 **53B-8d-102**, Utah Code Annotated 1953

15 **53B-8d-103**, Utah Code Annotated 1953

16 **53B-8d-104**, Utah Code Annotated 1953

17 REPEALS:

18 **39-1-63**, as last amended by Chapter 233, Laws of Utah 1998

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

20 Section 1. Section **53B-8d-101** is enacted to read:

21 **CHAPTER 8d. SERVICE MEMBER'S EDUCATIONAL ASSISTANCE ACT**

22 **53B-8d-101. Title.**

23 This chapter is known as the "Service Member's Educational Assistance Act."

24 Section 2. Section **53B-8d-102** is enacted to read:

25 **53B-8d-102. Definition.**

26 As used in this chapter, "service member" means an individual who is a citizen of the state
27 and a member of either the Utah National Guard or a Utah-based Reserve Component Unit.

28 Section 3. Section **53B-8d-103** is enacted to read:

29 **53B-8d-103. Tuition assistance for service members -- Use and allocation.**

30 (1) Tuition assistance may be provided to service members for study at public institutions
31 of higher education and Applied Technology Centers within the state, subject to the following
32 requirements:

33 (a) The service member must, at the time the member receives the tuition assistance:

34 (i) be an active member of the Utah National Guard or a Utah-based Reserve Component
35 Unit; and

36 (ii) have more than one year remaining on their military term of service.

37 (b) The assistance shall be for tuition only and may not be more than the resident tuition
38 for the actual course of postsecondary study engaged in by the individual.

39 (2) Tuition assistance shall be awarded for each academic year.

40 (3) Members of the Utah National Guard shall apply to the Adjutant General in accordance
41 with regulations promulgated by the Adjutant General.

42 (4) Reserve members shall apply, in accordance with regulations promulgated by the
43 Adjutant General of the Utah National Guard, to the senior commander for Utah of their respective
44 reserve components for assistance for each year during which the individual is an active service
45 member.

46 (5) The adjutant general of the state shall establish regulations, procedures, forms, and
47 reports necessary to administer the allocation of assistance and payment of funds under this
48 section.

49 (6) The adjutant general shall include a request each year for funds for this program in the
50 annual budget for the National Guard.

51 Section 4. Section **53B-8d-104** is enacted to read:

52 **53B-8d-104. Tuition Assistance Committee -- Composition -- Meetings.**

53 (1) There is created a Tuition Assistance Committee to review applications for and award
54 tuition assistance to service members.

55 (2) The committee shall consist of:

56 (a) the Adjutant General of the Utah National Guard; and

57 (b) the senior Utah commander of the following reserve components, or the commander's
58 designee:

- 59 (i) the Army Reserve;
- 60 (ii) the Air Force Reserve;
- 61 (iii) the Navy Reserve; and
- 62 (iv) the Marine Corps Reserve.
- 63 (3) The Adjutant General of the Utah National Guard shall be the chair.
- 64 (4) The committee shall meet at least once each year at the call of the chair.
- 65 (5) In awarding assistance, the committee shall consider the recruitment and retention
- 66 needs of the National Guard and Reserve Components.
- 67 (6) Tuition assistance is to be paid by the Adjutant General of the Utah National Guard
- 68 directly to the institutions involved from the funds appropriated.

69 Section 5. **Repealer.**

70 This act repeals:

71 Section **39-1-63, Tuition assistance for National Guard members -- Use and allocation**

72 **-- Appropriation.**

73 Section 6. **Appropriation.**

74 Except as provided in H.B. 4, Appropriations Coordination Act, there is appropriated from

75 the General § [School] § Fund for fiscal year 1999-2000, \$300,000 to the Utah National Guard to be

76 used for the postsecondary education tuition assistance program authorized under Title 53B,

77 Chapter 8d, Service Member's Educational Assistance Act.

78 Section 7. **Effective date.**

79 This act takes effect on July 1, 1999.

Legislative Review Note
as of 1-13-99 1:26 PM

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

Office of Legislative Research and General Counsel