

**NONRESIDENT TUITION WAIVER
AMENDMENTS**

2002 FIFTH SPECIAL SESSION
STATE OF UTAH

Sponsor: Afton B. Bradshaw

This act modifies the State System of Higher Education by repealing presidents' authority to waive certain tuition for nonresidents. This act also repeals the authorization to offer nonresident partial tuition scholarships.

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

AMENDS:

53B-8-101, as last amended by Chapter 288, Laws of Utah 2001

63-55b-153, as last amended by Chapters 49, 219 and 301, Laws of Utah 2002

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) The president of each institution may waive all or part of the tuition in behalf of meritorious or impecunious resident students to an amount not exceeding 10% of the total amount of tuition which, in the absence of the waivers, would have been collected from all Utah resident students at the institution.

(2) (a) Each academic year the president of each of the following institutions may waive all or part of the resident portion of the tuition in behalf of the additional number of meritorious nonresident students set forth below who are not current recipients of the waiver:

Institution	Number of Nonresident Students
the University of Utah	190
Utah State University	165
Weber State University	135



28	Southern Utah University	68
29	Snow College	18
30	Dixie State College of Utah	30
31	the College of Eastern Utah	18
32	Utah Valley State College	114
33	Salt Lake Community College	43

34 (b) (i) The president may continue to waive the resident portion of the tuition during the
 35 entire time the affected meritorious nonresident student remains an undergraduate student in good
 36 standing at the institution.

37 (ii) The resident portion of the tuition for each nonresident student is equal to the tuition
 38 for resident students at the institution.

39 (c) The president may waive the nonresident portion of tuition for a meritorious
 40 nonresident student receiving a waiver under Subsection (2)(a) after completion of the student's
 41 first year of full-time study at the institution.

42 (d) (i) In addition to the waivers authorized by Subsections (2)(a) and (c), the president
 43 may waive all or part of the nonresident portion of tuition for a meritorious nonresident student
 44 during the student's first year of full-time study at the institution.

45 (ii) The number of these nonresident waivers for each institution is limited to the
 46 percentage of nonresident students at each institution times the nonresident student number
 47 allowed under Subsection (2)(a).

48 (3) Upon recommendation of the board, the president may grant additional full or partial
 49 tuition waivers to encourage students to enroll for instruction in occupations critical to the state
 50 for which trained personnel are in short supply.

51 ~~[(4) The president may waive all or part of the difference between resident and nonresident~~
 52 ~~tuition in the case of meritorious graduate students and nonresident summer school students.]~~

53 [(5)] (4) The board shall submit annual budget appropriation requests for each institution
 54 which include requests for funds sufficient in amount to equal the estimated loss of dedicated
 55 credits that would be realized if all of the tuition waivers authorized by Subsection (2) were
 56 granted.

57 Section 2. Section **63-55b-153** is amended to read:

58 **63-55b-153. Repeal dates -- Titles 53, 53A, and 53B.**

- 59 (1) Subsection 53-3-205(9)(a)(i)(D) is repealed July 1, 2007.
60 (2) Subsection 53-3-804(2)(g) is repealed July 1, 2007.
61 (3) Subsection 53-5-710(4) pertaining to restrictions at Olympic venue secure areas is
62 repealed April 1, 2002.
63 (4) Title 53, Chapter 12, State Olympic Public Safety Command Act, is repealed July 1,
64 2003.
65 (5) Section 53-12-301.1 is repealed April 1, 2002.
66 (6) Section 53A-1-403.5 is repealed July 1, 2007.
67 (7) Section 53A-3-602 is repealed July 1, 2002.
68 (8) Section 53B-8-104 is repealed July 1, 2003.
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Legislative Review Note
as of 7-9-02 11:13 AM

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

Office of Legislative Research and General Counsel