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**SCOTT B. LUNDELL TUITION WAIVER FOR  
NATIONAL GUARD MEMBERS' SURVIVING  
DEPENDENTS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gregory H. Hughes**

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

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**LONG TITLE**

**General Description:**

This bill provides a tuition waiver for surviving dependents of National Guard members under specified conditions.

**Highlighted Provisions:**

This bill:

▶ waives the undergraduate tuition at state institutions of higher education for surviving dependents of National Guard members killed on federal active duty.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**53B-8-107**, Utah Code Annotated 1953

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

**Section 1.** Section **53B-8-107** is enacted to read:

**53B-8-107. National Guard member surviving dependents -- Tuition waiver.**



- 28           (1) This section shall be know as the Scott B. Lundell National Guard tuition waiver.  
29           (2) If a member of the National Guard is killed or dies of wounds or injuries received  
30 while serving on federal active duty, under orders of competent authority and not as a result of  
31 the member's own misconduct, a state institution of higher education shall waive undergraduate  
32 tuition for that member's dependents under the following conditions:  
33           (a) the dependent has been accepted by the institution in accordance with the  
34 institution's admissions guidelines;  
35           (b) the dependent is a resident student as determined under Section 53B-8-102;  
36           (c) the dependent may not have already completed a course of studies leading to an  
37 undergraduate degree; and  
38           (d) the dependent may not utilize the waiver for more than eight semesters.  
39           (3) The tuition waiver in this section is applicable for undergraduate study only.  
40           (4) The adjutant general shall certify to the institution that the dependent is a surviving  
41 dependent eligible for the tuition waiver.  
42           (5) The waiver in this section does not apply to fees, books, or housing expenses.

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**Legislative Review Note**  
**as of 1-16-07 4:31 PM**

**Office of Legislative Research and General Counsel**

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**Fiscal Note****H.B. 309 - Scott B. Lundell Tuition Waiver for National Guard Members'  
Surviving Dependents**

2007 General Session

State of Utah

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**State Impact**

Enactment of this bill may result in a small increase in enrollment at institutions in the Utah System of Higher Education. While the number of dependents eligible for this benefit could increase in the future, depending on future action involving the National Guard, the estimated current number of eligible dependents (whether currently of college age or not) is less than 10. Based on this estimate, new students attending state institutions as a result of this legislation could be accommodated within current budgets. It is estimated that the current cost of providing this benefit would be approximately \$5,200 per student.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits to businesses or local governments. Qualifying National Guard family members could benefit through the benefits provided in this legislation when eligible and if they decide to attend.

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1/29/2007, 4:35:57 PM, Lead Analyst: Pratt, S.

**Office of the Legislative Fiscal Analyst**