

Effective 1/1/2024

13-34-112 Enforcement of contract or agreement -- Rescission based on defective registration statement -- Rescission based on revocation of certificate of state authorization.

- (1) A postsecondary school subject to this chapter may not enforce in the courts of this state a contract or agreement relating to postsecondary education services unless, at the time the contract or agreement is executed:
 - (a) the division has issued a registration certificate to the postsecondary school; or
 - (b) the postsecondary school is exempt from this chapter under Section 13-34-111.
- (2) If an accredited postsecondary school's state authorization certificate is revoked in accordance with Section 13-34-106, or the accredited postsecondary school loses its accreditation, a student who enrolled in the postsecondary school in reliance upon the benefits offered by the accredited postsecondary school's possession of a valid state authorization certificate or the accredited postsecondary school's accreditation may rescind an enrollment agreement.
- (3) If a student rescinds an enrollment agreement as described in Subsection (2), the postsecondary school shall:
 - (a) release the student's future obligation to the postsecondary school for any tuition, fees, or other charges that the student paid to the postsecondary school; and
 - (b) refund the student any tuition, fees, or other charges that the student, or a person on the student's behalf, paid to the postsecondary school.

Repealed and Re-enacted by Chapter 458, 2023 General Session