

**Effective 1/1/2024**

**13-34-202 Surety requirements.**

- (1) A postsecondary school required to obtain a registration certificate in accordance with this chapter shall maintain, in a form and amount approved by the division:
  - (a) a surety bond;
  - (b) a certificate of deposit;
  - (c) an irrevocable letter of credit; or
  - (d) other proof of financial viability specified in rules the division makes under Section 13-34-103.
- (2) The surety bond, certificate of deposit, or irrevocable letter of credit shall be used as protection against loss of unearned tuition, tuition paid for credits that a student earned but that are not transferrable to a comparable postsecondary school, book fees, supply fees, or equipment fees:
  - (a) collected by the postsecondary school from a student or another person on a student's behalf; or
  - (b) that the student is obligated to pay.
- (3) A surety bond, certificate of deposit, or irrevocable letter of credit obtained in accordance with this section may not expire:
  - (a) earlier than 60 days after the first day on which no student is enrolled in the postsecondary school; and
  - (b) while students are enrolled in the postsecondary school.

Enacted by Chapter 458, 2023 General Session