

64-13-30.5 Payment by inmate for postsecondary educational tuition.

- (1)
 - (a) An inmate participating in a postsecondary education program through the department shall pay to the department at the time of enrollment 50% of the costs of the postsecondary education tuition.
 - (b) If an inmate desires to participate in the postsecondary education program but is unable to pay the costs of the education because of inadequate financial resources, the inmate may participate in a deferred tuition payment program under this section.
 - (c) The department and the Office of State Debt Collection shall coordinate a deferred postsecondary education tuition repayment program to provide inmates a reasonable payment schedule and payment amount to allow for deferred payment of the postsecondary educational tuition obligation the inmate incurred while under supervision of the department, which shall:
 - (i) account for all postsecondary education tuition costs incurred by the inmate while under the supervision of the department;
 - (ii) establish an appropriate time for the inmate to begin payment of postsecondary education tuition costs, which shall require that payments start no later than two years after termination of parole; and
 - (iii) establish a payment schedule and payment amounts, including prevailing interest rates, commensurate with student loans currently being offered by local financial institutions.
 - (d) Neither the department nor the Office of State Debt Collection may relieve an offender of the postsecondary tuition repayment responsibility.
 - (e) The department shall pay costs of postsecondary education not paid by the offender at the time of participation in the program from the Prison Telephone Surcharge Account.
- (2)
 - (a) Of those tuition funds collected by the Office of State Debt Collection under this section, 10% may be used by the Office of State Debt Collection for operation of the deferred payment program.
 - (b) All other funds collected as repayment for postsecondary tuition costs shall be deposited in the Prison Telephone Surcharge Account.
- (3) Only inmates lawfully present in the United States may participate in the postsecondary educational program offered through the department.

Enacted by Chapter 258, 2009 General Session