

Representative Bryan D. Holladay proposes to substitute the following bill:

**SELECTIVE SERVICE FILING PREREQUISITE TO
RECEIVING POSTSECONDARY FINANCIAL AID**

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Bryan D. Holladay

AN ACT RELATING TO POSTSECONDARY EDUCATION; REQUIRING MALE
STUDENTS TO CERTIFY THEIR SELECTIVE SERVICE STATUS AS A PREREQUISITE
TO RECEIVING FINANCIAL AID TO ATTEND A POSTSECONDARY INSTITUTION.

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

ENACTS:

53B-11-104, Utah Code Annotated 1953

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

Section 1. Section **53B-11-104** is enacted to read:

53B-11-104. Eligibility for student financial aid -- Filing of selective service status.

(1) A male born after December 31, 1959, may not receive any state-supported loan, grant, or scholarship for attendance at a postsecondary institution within the state unless he has filed a statement of selective service status with the institution.

(2) The statement shall certify one of the following:

(a) that the male has registered with the selective service system in accordance with the Military Selective Service Act, 50 U.S.C. App. 453, as amended;

(b) that the male is not required to register with the selective service system because he is:

(i) under 18 or over 26 years of age;

(ii) on active duty with the armed forces of the United States other than for training in a reserve or national guard unit;

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1 (iii) a nonimmigrant alien lawfully in the United States in accordance with the
2 Immigration and Nationality Act, 8 U.S.C. Sec. 1101(a)(15); or

3 (iv) not a citizen of the United States and is a permanent resident of the Trust Territory of
4 the Pacific Islands or the Northern Mariana Islands.

5 (3) (a) The board of regents, through the commissioner of higher education, shall specify
6 the form of statement to be filed under Subsection (2).

7 (b) Each statement shall contain a section:

8 (i) certifying registration with the selective service system and a space for the student to
9 record his selective service number; and

10 (ii) for the certification of nonregistration and for an explanation of the reason for
11 exemption.

12 (c) The board may require documentation for the certifications under Subsection (3)(b).

13 (4) Postsecondary institutions within the state may not make or guarantee any loan, grant,
14 scholarship, or other state-supported financial assistance to a male student unless the student has
15 filed the statement required under Subsection (1).

16 (5) (a) If a postsecondary institution within the state has received a statement certifying
17 that the individual is registered under Subsection (2)(a) or is exempt from registration for a reason
18 other than he is under 18 years of age, the individual is not required to file any further statement
19 with the institution under this section.

20 (b) If the institution receives a statement of exemption because the individual is under 18
21 years of age, it shall require the filing of a new statement each time the individual seeks to apply
22 for financial assistance for educational expenses, until it receives a statement certifying that the
23 individual has registered with the selective service system or is exempt from registration for a
24 reason other than being under 18 years of age.