

**Representative Loraine T. Pace** proposes the following substitute bill:

**NONRESIDENT TUITION FOR HIGHER  
EDUCATION AMENDMENTS**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: Loraine T. Pace**

**This act modifies the State System of Higher Education Code by authorizing the State Board of Regents to grant nonresident tuition scholarships for certain purposes. This act provides a repeal date for a new section on July 1, 2009. This act has an immediate effective date.**

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

AMENDS:

**63-55b-153**, as last amended by Chapters 49, 219 and 301, Laws of Utah 2002

ENACTS:

**53B-8-104.5**, Utah Code Annotated 1953

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

Section 1. Section **53B-8-104.5** is enacted to read:

**53B-8-104.5. Nonresident tuition scholarships.**

(1) In addition to the scholarships authorized under Section 53B-8-104, the board may grant scholarships for a waiver of the nonresident portion of total tuition charged by public institutions of higher education to nonresident students, subject to the limitations provided in this section, if the board determines that the scholarships will:

(a) contribute to the quality and desirable cultural diversity of educational programs in Utah institutions;

(b) assist in maintaining an adequate level of service and related cost-effectiveness of auxiliary operations in Utah institutions of higher education;



26 (c) promote enrollment of nonresident students with high academic aptitudes; and

27 (d) provide for an effective transition to meet the requirements of Section 53B-8-102.

28 (2) The board shall establish policy guidelines for the administration by institutions of  
29 higher education of scholarships authorized under Subsection (1), for evaluating applicants for  
30 those scholarships, and for reporting the results of the scholarship program authorized under  
31 Subsection (1).

32 (3) The policy guidelines promulgated by the board under Subsection (2) shall include  
33 the following provisions:

34 (a) the amount of the approved scholarship may be up to 100% of the differential  
35 tuition charged to nonresident students for an equal number of credit hours of instruction;

36 (b) a maximum of one-half of the approved scholarships may be at a level of more than  
37 50% of the differential tuition charged to nonresident students for an equal number of credit  
38 hours of instruction;

39 (c) a nonresident scholarship may be awarded initially only to a nonresident student  
40 who has not previously been enrolled in a college or university in Utah and who has enrolled  
41 full time for ten or more credit hours;

42 (d) the total number of nonresident scholarships granted under Subsection (1) may not  
43 exceed a total of 500 such scholarships in effect at any one time;

44 (e) the board shall determine eligibility for nonresident scholarships on the basis of  
45 program availability at an institution and on a competitive basis, using quantifiable  
46 measurements such as grade point averages and results of test scores; and

47 (f) a nonresident student who receives a scholarship of greater than 50% of the  
48 differential tuition charged to nonresident students for an equal number of credit hours of  
49 instruction may not be counted against the funded target for the institution attended.

50 (4) The board shall submit an annual report and financial analysis of the effects of  
51 offering nonresident tuition scholarships authorized under this section to the Legislature as part  
52 of its budget recommendations for the system of higher education.

53 Section 2. Section **63-55b-153** is amended to read:

54 **63-55b-153. Repeal dates -- Titles 53, 53A, and 53B.**

55 (1) Subsection 53-3-205(9)(a)(i)(D) is repealed July 1, 2007.

56 (2) Subsection 53-3-804(2)(g) is repealed July 1, 2007.

57 (3) Subsection 53-5-710(4) pertaining to restrictions at Olympic venue secure areas is  
58 repealed April 1, 2002.

59 (4) Title 53, Chapter 12, State Olympic Public Safety Command Act, is repealed July  
60 1, 2003.

61 (5) Section 53-12-301.1 is repealed April 1, 2002.

62 (6) Section 53A-1-403.5 is repealed July 1, 2007.

63 (7) Section 53A-3-602 is repealed July 1, 2002.

64 (8) Section 53B-8-104.5 is repealed July 1, 2009.

65 Section 3. **Effective date.**

66 If approved by two-thirds of all the members elected to each house, this act takes effect  
67 upon approval by the governor, or the day following the constitutional time limit of Utah  
68 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,  
69 the date of veto override.