

**EDUCATION ASSISTANCE FOR NATIONAL
GUARD MEMBERS**

2003 GENERAL SESSION
STATE OF UTAH

Sponsor: Peter C. Knudson

This act modifies provisions relating to higher education by providing that 2-1/2% of tuition waivers at state institutions of higher education be set aside for members of the Utah National Guard.

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

AMENDS:

53B-8-101, as last amended by Chapter 288, Laws of Utah 2001

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

Section 1. Section **53B-8-101** is amended to read:

53B-8-101. Waiver of tuition.

(1) (a) The president of each institution may waive all or part of the tuition in behalf of meritorious or impecunious resident students to an amount not exceeding 10% of the total amount of tuition which, in the absence of the waivers, would have been collected from all Utah resident students at the institution.

(b) Two and a half percent of the § [10%] WAIVERS § designated in Subsection (1)(a) shall be set aside

for members of the Utah National Guard. § WAIVERS SHALL BE PRESERVED BY THE STUDENT AT LEAST 60 DAYS BEFORE THE BEGINNING OF AN ACADEMIC TERM. §

(2) (a) Each academic year the president of each of the following institutions may waive all or part of the resident portion of the tuition in behalf of the additional number of meritorious nonresident students set forth below who are not current recipients of the waiver:

Institution	Number of Nonresident Students
the University of Utah	190
Utah State University	165



S.B. 109 LEGISLATIVE GENERAL COUNSEL

⌚ Approved for Filing: E. Chelsea-McCarty ⌚

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28	Weber State University	135
29	Southern Utah University	68
30	Snow College	18
31	Dixie State College of Utah	30
32	the College of Eastern Utah	18
33	Utah Valley State College	114
34	Salt Lake Community College	43

35 (b) (i) The president may continue to waive the resident portion of the tuition during
36 the entire time the affected meritorious nonresident student remains an undergraduate student
37 in good standing at the institution.

38 (ii) The resident portion of the tuition for each nonresident student is equal to the
39 tuition for resident students at the institution.

40 (c) The president may waive the nonresident portion of tuition for a meritorious
41 nonresident student receiving a waiver under Subsection (2)(a) after completion of the student's
42 first year of full-time study at the institution.

43 (d) (i) In addition to the waivers authorized by Subsections (2)(a) and (c), the president
44 may waive all or part of the nonresident portion of tuition for a meritorious nonresident student
45 during the student's first year of full-time study at the institution.

46 (ii) The number of these nonresident waivers for each institution is limited to the
47 percentage of nonresident students at each institution times the nonresident student number
48 allowed under Subsection (2)(a).

49 (3) Upon recommendation of the board, the president may grant additional full or
50 partial tuition waivers to encourage students to enroll for instruction in occupations critical to
51 the state for which trained personnel are in short supply.

52 (4) The president may waive all or part of the difference between resident and
53 nonresident tuition in the case of meritorious graduate students and nonresident summer school
54 students.

55 (5) The board shall submit annual budget appropriation requests for each institution
56 which include requests for funds sufficient in amount to equal the estimated loss of dedicated
57 credits that would be realized if all of the tuition waivers authorized by Subsection (2) were
58 granted.

Legislative Review Note

as of 10-18-02 11:43 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0109

Education Assistance for National Guard Members

04-Feb-03

9:34 AM

State Impact

Funding requirements may be handled within existing resources because the bill allocates 2.5 percent or approximately \$360,000 of the \$14.5 million available for resident tuition waivers to members of the Utah National Guard.

Individual and Business Impact

Will provide addition resources to members of the National Guard attending Utah colleges and Universities

Office of the Legislative Fiscal Analyst