

1 **TUITION WAIVERS FOR HIGHER**
2 **EDUCATION**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Craig W. Buttars**

6 Senate Sponsor: Lyle W. Hillyard

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies provisions regarding tuition waivers for nonresident students
11 attending institutions within the state system of higher education.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ increases the number of scholarships the State Board of Regents may grant for the
15 waiver of the nonresident portion of total tuition charged to nonresident students;

16 and

17 ▶ removes the sunset date from a nonresident tuition waiver program.

18 **Monies Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **53B-8-104.5**, as enacted by Chapter 223, Laws of Utah 2003

25 **63-55b-153**, as last amended by Chapters 90, 251 and 328, Laws of Utah 2004

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



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

29 **53B-8-104.5. Nonresident tuition scholarships.**

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

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

36 (b) promote enrollment of nonresident students with high academic aptitudes; and

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

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

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

44 (a) [~~the amount~~] a maximum of 675 of the approved [~~scholarship~~] scholarships may be
45 up to 100% of the differential tuition charged to nonresident students for an equal number of
46 credit hours of instruction;

47 (b) [~~a maximum of one-half~~] 225 of the approved scholarships may not be at a level of
48 more than 50% of the differential tuition charged to nonresident students for an equal number
49 of credit hours of instruction;

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

53 (d) the total number of nonresident scholarships granted under Subsection (1) may not
54 exceed a total of [~~500~~] 900 such scholarships in effect at any one time;

55 (e) the board shall determine eligibility for nonresident scholarships on the basis of
56 program availability at an institution and [~~on a competitive basis~~] appropriate academic
57 credentials, using quantifiable measurements such as grade point averages and results of test
58 scores; and

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

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

65 (5) This section applies to tuition scholarships and not the individual admission
66 standards of higher education.

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

68 **63-55b-153. Repeal dates -- Titles 53, 53A, and 53B.**

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

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

71 (3) Section 53A-1-403.5 is repealed July 1, 2007.

72 (4) Subsection 53A-1a-511(7)(c) is repealed July 1, 2007.

73 (5) Section 53A-3-702 is repealed July 1, 2008.

74 [~~6) Section 53B-8-104.5 is repealed July 1, 2009.~~]

Legislative Review Note
as of 12-1-05 1:28 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel