

1                   **SCOTT B. LUNDELL TUITION WAIVER FOR**  
2                   **MILITARY MEMBERS' SURVIVING**  
3                   **DEPENDENTS**

4                   2007 GENERAL SESSION

5                   STATE OF UTAH

6                   **Chief Sponsor: Gregory H. Hughes**

7                   Senate Sponsor: Sheldon L. Killpack

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9                   **LONG TITLE**

10                  **General Description:**

11                  This bill provides a tuition waiver for surviving dependents of military members under  
12                  specified conditions.

13                  **Highlighted Provisions:**

14                  This bill:

15                  ▶ waives the undergraduate tuition at state institutions of higher education for  
16                  surviving dependents of Utah resident military members killed on federal active  
17                  duty.

18                  **Monies Appropriated in this Bill:**

19                  None

20                  **Other Special Clauses:**

21                  None

22                  **Utah Code Sections Affected:**

23                  ENACTS:

24                  **53B-8-107**, Utah Code Annotated 1953

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

27                  Section 1. Section **53B-8-107** is enacted to read:

28                  **53B-8-107. Military member surviving dependents -- Tuition waiver.**

29                  (1) This section shall be known as the Scott B. Lundell Military Survivors' tuition

30 waiver.

31 (2) If a Utah resident who is a member of the armed forces of the United States,  
32 including a member of the National Guard or reserve component of the armed forces, is killed  
33 or dies of wounds or injuries received while serving on federal active duty, under orders of  
34 competent authority and not as a result of the member's own misconduct, a state institution of  
35 higher education shall waive undergraduate tuition for that member's dependents under the  
36 following conditions:

37 (a) the dependent has been accepted by the institution in accordance with the  
38 institution's admissions guidelines;

39 (b) the dependent is a resident student as determined under Section 53B-8-102;

40 (c) the dependent may not have already completed a course of studies leading to an  
41 undergraduate degree;

42 (d) the dependent may only utilize the waiver for courses that are applicable toward the  
43 degree or certificate requirements of the program in which the dependent is enrolled; and

44 (e) the dependent may not be excluded from the waiver if the dependent has previously  
45 taken courses at or has been awarded credit by a state institution of higher education.

46 (3) The tuition waiver in this section is applicable for undergraduate study only.

47 (4) The adjutant general, after consultation with federal officials if necessary, shall  
48 certify to the institution that the dependent is a surviving dependent eligible for the tuition  
49 waiver in accordance with this section.

50 (5) The waiver in this section does not apply to fees, books, or housing expenses.

51 (6) The State Board of Regents may request reimbursement from the Legislature for  
52 costs incurred in providing the tuition waiver under this section.