Representative **Gregory H. Hughes** proposes the following substitute bill:

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

8

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

25

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.

State Impact

Enactment of this bill may result in a small increase in enrollment at institutions in the Utah System of Higher Education. While the number of dependents eligible for this benefit could increase in the future, depending on future action involving members of the military, the estimated current number of eligible dependents (whether currently of college age or not) is approximately 40. It is assumed that these dependents, if they chose to take advantage of this benefit, would enroll over the next 20 years. Based on these figures, new students attending state institutions as a result of this legislation could be accommodated within current budgets. It is estimated that the current cost of providing this benefit would be approximately $5,200 per student.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits to businesses or local governments. Qualifying armed forces and National Guard family members could benefit through the benefits provided in this legislation when eligible and if they decide to attend.