

1                   **IN-STATE TUITION FOR FAMILIES OF FALLEN**  
2                   **PUBLIC SAFETY OFFICERS AMENDMENTS**

3                                   2015 GENERAL SESSION

4                                   STATE OF UTAH

5                           **Chief Sponsor: Curtis S. Bramble**

6                           House Sponsor: Mike K. McKell

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8   **LONG TITLE**

9   **General Description:**

10           This bill modifies provisions relating to state institution of higher education tuition  
11   waivers for a surviving family member of a police officer or firefighter killed in the line  
12   of duty.

13   **Highlighted Provisions:**

14           This bill:

- 15           ▶ removes a need-based requirement to receive a tuition waiver at a state institution of
- 16   higher education for a surviving spouse or child of a police officer or firefighter
- 17   killed in the line of duty; and
- 18           ▶ makes technical changes.

19   **Money Appropriated in this Bill:**

20           None

21   **Other Special Clauses:**

22           None

23   **Utah Code Sections Affected:**

24   AMENDS:

25           **53B-8c-103**, as last amended by Laws of Utah 1998, Chapter 282

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



28 Section 1. Section **53B-8c-103** is amended to read:

29 **53B-8c-103. Tuition waivers for surviving spouses and children of police officers**  
30 **and firefighters killed in the line of duty -- Qualifications -- Limitations.**

31 (1) Beginning in the 1997-98 academic year, and subject to the limitations in  
32 Subsections (2), (3), and (4) of this section, a state institution of higher education shall waive  
33 tuition for each child and surviving spouse of a Utah peace officer or Utah firefighter who has  
34 been killed or is killed in the line of duty if the individual meets the following requirements:

35 (a) applies, qualifies, and is admitted as a full-time, part-time, or summer school  
36 student in a program of study leading to a degree or certificate;

37 (b) is a resident student of the state as determined under Section [53B-8-102](#);

38 (c) applies to the department for a waiver of tuition under this chapter and provides  
39 evidence satisfactory to the department that:

40 (i) the applicant is the surviving spouse or child of a peace officer or firefighter who  
41 was killed in the line of duty;

42 (ii) the course or courses for which the applicant is seeking a tuition waiver meet the  
43 requirements of Subsection (2); and

44 (iii) the applicant meets the other requirements of this section;

45 (d) for a child of a peace officer or firefighter killed in the line of duty, applies under  
46 Subsection (1)(c) for the first time before the age of 25;

47 ~~[(e) is certified by the financial aid officer at the higher education institution as needing~~  
48 ~~the tuition waiver in order to meet recognized educational expenses, with the understanding~~  
49 ~~that if the applicant's family income, excluding any income from death benefits attributable to~~  
50 ~~the peace officer's or firefighter's death, is below 400% of the poverty level under federal~~  
51 ~~poverty guidelines, income from any death benefits accruing to the applicant as a result of the~~  
52 ~~death may not be counted as family income in determining financial need under this Subsection~~  
53 ~~(1)(c);]~~

54 [(f)] (e) maintains satisfactory academic progress, as defined by the institution of  
55 higher education, for each term or semester in which the individual is enrolled, which may be  
56 measured by the definition used for federal student assistance programs under Title IV of the  
57 Higher Education Act of 1965; and

58 [(g)] (f) has not achieved a bachelor's degree and has received tuition reimbursement

59 under this chapter for less than 124 semester credits or 180 quarter credits at an institution of  
60 higher education.

61 (2) A child or surviving spouse of a peace officer or firefighter who was killed in the  
62 line of duty is eligible for a tuition waiver under this section of not more than nine semesters or  
63 the equivalent number of quarters.

64 (3) Tuition shall be waived only to the extent that the tuition is not covered or paid by  
65 any scholarship, trust fund, statutory benefit, or any other source of tuition coverage available  
66 for a waiver under this chapter.

67 (4) An institution of higher education shall waive tuition under this chapter only for  
68 courses that are applicable toward the degree or certificate requirements of the program in  
69 which the child or surviving spouse is enrolled.

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**Legislative Review Note**  
as of 1-15-15 12:09 PM

**Office of Legislative Research and General Counsel**