

VETERANS TUITION GAP PROGRAM ACT AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: Paul Ray

LONG TITLE

Committee Note:

The Veterans' and Military Affairs Commission recommended this bill.

Membership: 5 legislators 18 non-legislators

Legislative Vote: 4 voting for 0 voting against 1 absent

General Description:

This bill amends access to the Veterans Tuition Gap Program.

Highlighted Provisions:

This bill:

- ▶ amends the federal programs to which the Veterans Tuition Gap Program (the program) relates;
- ▶ amends the institutions of higher education in which a qualifying veteran using the program must be enrolled;
- ▶ removes the requirement that a qualifying veteran using the program qualify for a federal program; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



28 AMENDS:

29 **53B-13b-102**, as last amended by Laws of Utah 2015, Chapter 141

30 **53B-13b-103**, as enacted by Laws of Utah 2014, Chapter 87

31

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

33 Section 1. Section **53B-13b-102** is amended to read:

34 **53B-13b-102. Definitions.**

35 As used in this chapter:

36 (1) "Federal program" means [~~the Post-9/11 Veterans Educational Assistance Act of~~
37 ~~2008, Pub. L. No. 110-252;~~] a veterans educational assistance program established in:

38 (a) United States Code, Title 10, Chapter 1606, Educational Assistance for Members of
39 the Selected Reserve;

40 (b) United States Code, Title 38, Chapter 30, All-Volunteer Force Educational
41 Assistance Program;

42 (c) United States Code, Title 38, Chapter 31, Training and Rehabilitation for Veterans
43 with Service-Connected Disabilities;

44 (d) United States Code, Title 38, Chapter 32, Post-Vietnam Era Veterans' Educational
45 Assistance; or

46 (e) United States Code, Title 38, Chapter 33, Post-9/11 Educational Assistance.

47 (2) "Institution of higher education" or "institution" means [a]:

48 [~~(a) credit-granting higher education institution within the state system of higher~~
49 ~~education; or]~~

50 [~~(b) an institution of higher learning, as defined in the federal program, that is located~~
51 ~~in the state;]~~

52 (a) an institution of higher education listed in Subsection **53B-2-101**(1); or

53 (b) a private, nonprofit, postsecondary institution ~~that is~~ ~~located~~ ~~in Utah~~
53a that is

54 accredited by a ~~regional~~ ~~recognized~~ ~~accrediting organization~~ ~~that the board~~
54a ~~recognizes~~ ~~recognized by the United States Department of Education~~ ~~in Utah~~.

55 (3) "Program" means the Veterans Tuition Gap Program created in this chapter.

56 (4) (a) "Qualifying military veteran" means a veteran, as defined in Section **68-3-12.5**,

57 who:

58 (i) is a resident student under Section **53B-8-102** and rules of the board;

59 (ii) is accepted into an institution and enrolled in a program leading to a bachelor's
60 degree;

61 [~~(iii) has qualified for the federal program;~~]

62 [~~(iv)~~] (iii) (A) has [~~maximized~~] exhausted the federal benefit under [~~the~~] a federal
63 program; or

64 (B) demonstrates that the veteran $\hat{S} \rightarrow$ ~~does not qualify~~ no longer qualifies $\leftarrow \hat{S}$ to receive

64a federal benefits under any
65 federal program; and

66 [~~(v)~~] (iv) has not completed a bachelor's degree.

67 (b) "Qualifying military veteran" does not include a family member.

68 Section 2. Section **53B-13b-103** is amended to read:

69 **53B-13b-103. Establishment of the Veterans Tuition Gap Program.**

70 There is established a Veterans Tuition Gap Program to serve qualifying military
71 veterans with tuition assistance at institutions of higher education when:

72 (1) federal benefits under the federal program [~~are no longer~~] have been exhausted or
73 are not available; and

74 (2) a qualifying military veteran has not finished a bachelor's degree $\hat{S} \rightarrow$ and is in the final
74a year of a bachelor's degree program $\leftarrow \hat{S}$.

Legislative Review Note
Office of Legislative Research and General Counsel