

**VETERANS TUITION GAP PROGRAM ACT AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Luz Escamilla**

House Sponsor: Paul Ray

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**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

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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 headquartered in Utah that is  
54 accredited by a regional accrediting organization that the board recognizes.

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 does not qualify to receive 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.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**