

STUDENT PROSPERITY SAVINGS PROGRAM AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Adam Robertson

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill modifies provisions of the Student Prosperity Savings Program.

Highlighted Provisions:

This bill:

- modifies the definition of an eligible individual as part of the Student Prosperity Savings Program; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-8a-201, as enacted by Laws of Utah 2017, Chapter 389 and last amended by Coordination Clause, Laws of Utah 2017, Chapter 382

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

Section 1. Section **53B-8a-201** is amended to read:

53B-8a-201. Definitions.

As used in this part:



(1) "529 savings account" means a tax-advantaged method of saving for higher education costs on behalf of a particular individual that:

- (a) meets the requirements of Section 529, Internal Revenue Code; and
- (b) is managed by the plan.

(2) "Child" means an individual less than 20 years of age.

(3) "Community partner" means a nonprofit organization that provide services to a child who is economically disadvantaged or a family member, legal guardian, or legal custodian of a child who is economically disadvantaged.

(4) "Donation" means a gift, grant, donation, or any other conveyance of money by a person other than the Legislature that is not made directly for the benefit or on behalf of a particular individual.

(5) "Economically disadvantaged" means that a child is:

- (a) experiencing intergenerational poverty;
- (b) a member or foster child of a family with an annual income at or below 185% of the federal poverty level; or

- (c) living with a legal custodian or legal guardian with an annual family income at or below 185% of the federal poverty level.

(6) "Eligible individual" means an individual who:

- (a) is at least ~~[15]~~ 12 years of age and under 20 years of age;
- (b) is a student in grade ~~[10, grade 11, or grade]~~ 7, 8, 9, 10, 11, or 12 in Utah;
- (c) is economically disadvantaged; and
- (d) receives, or has a family member, a foster family member, or a legal custodian or legal guardian who receives, services from a community partner.

(7) "Federal poverty level" means the poverty level as defined by the most recently revised poverty income guidelines published by the United States Department of Health and Human Services in the Federal Register.

(8) "Higher education costs" means the same as that term is defined in Section [53B-8a-102.5](#), except that the expenses must be incurred at:

- (a) a credit-granting institution of higher education within the state system of higher education;
- (b) a private, nonprofit college or university in the state that is accredited by the

59 Northwestern Association of Schools and Colleges; or
60 (c) a technical college.
61 (9) "Intergenerational poverty" means the same as that term is defined in Section
62 [35A-9-102](#).
63 (10) "Program" means the Student Prosperity Savings Program created in Section
64 [53B-8a-202](#).

Legislative Review Note
Office of Legislative Research and General Counsel