

1 **TALENT DEVELOPMENT AND RETENTION STRATEGY**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Ann Millner**

5 House Sponsor: Brad R. Wilson

7 **LONG TITLE**

8 **General Description:**

9 This bill creates a program to provide an incentive loan to a student who intends to
10 work in a qualifying job.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ creates the Talent Development Incentive Loan Program to award an incentive loan
15 to an individual who:
 - 16 • pursues a qualifying degree for a qualifying job; and
 - 17 • intends to work in a qualifying job in Utah;
- 18 ▶ requires the State Board of Regents to award incentive loans;
- 19 ▶ allows the State Board of Regents to use money from a business or industry partner
20 for funding or repaying an incentive loan;
- 21 ▶ provides for the Governor's Office of Economic Development to determine which
22 jobs are qualifying jobs and the qualifying degrees for each qualifying job;
- 23 ▶ describes the conditions under which repayment of an incentive loan is waived or
24 required; and
- 25 ▶ requires the State Board of Regents to make rules.

26 **Money Appropriated in this Bill:**

27 This bill appropriates in fiscal year 2019:



28 ▶ to the State Board of Regents – Student Assistance – Talent Development Incentive
29 Loan Program, as an ongoing appropriation:

- 30 • from the Education Fund, \$2,500,000.

31 **Other Special Clauses:**

32 None

33 **Utah Code Sections Affected:**

34 ENACTS:

35 **53B-10-201**, Utah Code Annotated 1953

36 **53B-10-202**, Utah Code Annotated 1953

37 **53B-10-203**, Utah Code Annotated 1953

38 **53B-10-204**, Utah Code Annotated 1953

39 **53B-10-205**, Utah Code Annotated 1953



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

42 Section 1. Section **53B-10-201** is enacted to read:

43 **CHAPTER 10. INCENTIVE LOAN PROGRAMS**

44 **Part 2. Talent Development Incentive Loan Program**

45 **53B-10-201. Definitions.**

46 As used in this part:

47 (1) "Full time" means the number of credit hours the board determines is full time
48 enrollment for a student.

49 (2) "GOED" means the Governor's Office of Economic Development created in
50 Section [63N-1-201](#).

51 (3) "Incentive loan" means a loan described in Section [53B-10-202](#).

52 (4) "Institution of higher education" means an institution that is part of the Utah
53 System of Higher Education described in Subsection [53B-1-102\(1\)\(a\)](#).

54 (5) "Program" means the Talent Development Incentive Loan Program created in
55 Section [53B-10-202](#).

56 (6) "Qualifying degree" means an associate's or a bachelor's degree that qualifies an
57 individual to work in a qualifying job, as determined by GOED under Section [53B-10-203](#).

58 (7) "Qualifying job" means a job:

59 (a) described in Section 53B-10-203 for which an individual may receive an incentive
60 loan for the current two-year period; or

61 (b) (i) that was selected in accordance with Section 53B-10-203 at the time a recipient
62 received an incentive loan; and

63 (ii) (A) for which the recipient is pursuing a qualifying degree;

64 (B) for which the recipient completed a qualifying degree; or

65 (C) in which the recipient is working.

66 (8) "Recipient" means an individual who receives an incentive loan.

67 Section 2. Section 53B-10-202 is enacted to read:

68 **53B-10-202. Talent Development Incentive Loan Program.**

69 (1) There is created the Talent Development Incentive Loan Program to recruit and
70 train individuals to work in certain jobs that have a high demand for new employees and offer
71 high wages.

72 (2) Subject to legislative appropriations, the board shall award an incentive loan to an
73 individual who:

74 (a) is enrolled full time in an institution of higher education;

75 (b) has completed at least:

76 (i) one semester of full time equivalent course work if the individual is pursuing an
77 associate's degree; or

78 (ii) two semesters of full time equivalent course work if the individual is pursuing a
79 bachelor's degree;

80 (c) is pursuing or declares an intent to pursue a qualifying degree;

81 (d) declares an intent to work in a qualifying job described in Subsection
82 53B-10-201(7)(a) in Utah following graduation;

83 (e) applies to the board to receive an incentive loan; and

84 (f) meets other criteria determined by the board.

85 (3) (a) The board may award an incentive loan to a recipient in an amount up to the
86 cost of resident tuition, fees, and books for the number of credit hours in which the recipient is
87 enrolled each semester.

88 (b) The board may award an incentive loan to a recipient for up to the expected amount
89 of time for the recipient to complete the qualifying degree, as determined by the board.

90 (c) The board may cancel an incentive loan in accordance with the rules described in
91 Section 53B-10-205.

92 (4) The board may use money from a partnership with an industry or business for
93 funding or repaying an incentive loan.

94 Section 3. Section **53B-10-203** is enacted to read:

95 **53B-10-203. Selection of qualifying jobs and qualifying degrees.**

96 (1) Every other year, GOED shall select:

97 (a) five qualifying jobs that:

98 (i) have the highest demand for new employees; and

99 (ii) offer high wages; and

100 (b) the qualifying degrees for each qualifying job.

101 (2) GOED shall:

102 (a) ensure that each qualifying job:

103 (i) ranks in the top 40% of jobs based on an employment index that considers the job's
104 growth rate and total openings;

105 (ii) ranks in the top 40% of jobs for wages; and

106 (iii) requires an associate's degree or a bachelor's degree; and

107 (b) report the five qualifying jobs and qualifying degrees to the board.

108 Section 4. Section **53B-10-204** is enacted to read:

109 **53B-10-204. Repayment of incentive loan.**

110 (1) For each year that a recipient works in a qualifying job in Utah following
111 completion of a qualifying degree, the board shall waive repayment of the amount of one year
112 of the recipient's incentive loan.

113 (2) Except as provided in Subsection (3)(a), the board may not require a recipient to
114 repay an incentive loan.

115 (3) (a) Except as provided in Subsection (3)(b), the board shall require a recipient to
116 repay to the board:

117 (i) the full amount of an incentive loan if the recipient fails to:

118 (A) graduate with a qualifying degree within six years of initially receiving the
119 incentive loan; or

120 (B) work in a qualifying job in Utah within one year of completing a qualifying degree;

121 or

122 (ii) the outstanding amount of an incentive loan if the recipient works in a qualifying
123 job for fewer years than the number of years required to waive repayment of the full incentive
124 loan.

125 (b) The board may waive or delay a repayment described in Subsection (3)(a) in
126 accordance with the rules described in Section 53B-10-205.

127 (4) The board may require appropriate interest with the repayment of an incentive loan.

128 (5) The board shall use a repayment received under this section for the program.

129 Section 5. Section **53B-10-205** is enacted to read:

130 **53B-10-205. Rulemaking.**

131 In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
132 board shall make rules to:

133 (1) establish an application process for an individual to apply for an incentive loan;

134 (2) subject to Section 53B-10-202, establish qualifying criteria for an individual to
135 receive an incentive loan;

136 (3) establish how to determine an amount of money for an incentive loan;

137 (4) establish the circumstances under which the board may:

138 (a) cancel an incentive loan; or

139 (b) waive or delay repayment of an incentive loan; and

140 (5) administer the program.

141 Section 6. **Appropriation.**

142 The following sums of money are appropriated for the fiscal year beginning July 1,
143 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for
144 fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
145 Act, the Legislature appropriates the following sums of money from the funds or accounts
146 indicated for the use and support of the government of the state of Utah.

147 ITEM 1

148 To State Board of Regents - Student Assistance

149 From Education Fund

\$2,500,000

150 Schedule of Programs:

151 Talent Development Incentive Loan Program \$2,500,000

152 The Legislature intends that the appropriation provided under this item be used for the
153 Talent Development Incentive Loan Program created in Section [53B-10-202](#).

Legislative Review Note
Office of Legislative Research and General Counsel