

**ACCESS UTAH PROMISE SCHOLARSHIP PROGRAM**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Derrin R. Owens**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill creates the Access Utah Promise Scholarship Program and repeals certain other scholarship programs.

**Highlighted Provisions:**

This bill:

- ▶ creates the Access Utah Promise Scholarship Program;
- ▶ enacts provisions related to promise scholarships, including provisions related to:
  - eligibility; and
  - the amount awarded for a promise scholarship;
- ▶ enacts provisions related to promise partner awards, including provisions related to:
  - eligibility, including requirements for employers who intend to participate as promise partners; and
  - administration of the program;
- ▶ prohibits the State Board of Regents (board) from accepting applications for certain previously authorized scholarships after July 1, 2019;
- ▶ allows an individual who received certain scholarships before July 1, 2019, to receive the scholarships until the end of the scholarship term;
- ▶ requires the board to make administrative rules;
- ▶ allows the board to use certain existing funds for administrative costs associated with certain scholarships;



- 28           ▶ provides repeal dates; and
- 29           ▶ makes technical and conforming changes.

30 **Money Appropriated in this Bill:**

31           This bill appropriates in fiscal year 2020:

- 32           ▶ to the State Board of Regents – Student Assistance – Access Utah Promise
- 33 Scholarship Program, as a one-time appropriation:
- 34           • from the Education Fund, One-time, \$30,000,000.

35 **Other Special Clauses:**

36           None

37 **Utah Code Sections Affected:**

38 AMENDS:

- 39           **53B-6-105**, as last amended by Laws of Utah 2009, Chapters 210 and 370
- 40           **53B-6-105.5**, as last amended by Laws of Utah 2013, Chapter 49
- 41           **53B-6-105.7**, as last amended by Laws of Utah 2009, Chapter 210
- 42           **53B-8-105**, as last amended by Laws of Utah 2017, Chapter 386
- 43           **53B-8-112**, as enacted by Laws of Utah 2017, Chapter 426
- 44           **53B-8-201**, as enacted by Laws of Utah 2017, Chapter 386
- 45           **53B-8a-107**, as last amended by Laws of Utah 2011, Chapter 46
- 46           **63G-12-402**, as last amended by Laws of Utah 2017, Chapter 386
- 47           **63I-2-253**, as last amended by Laws of Utah 2018, Chapters 107, 281, 382, 415, and
- 48 456
- 49           **63I-2-263**, as last amended by Laws of Utah 2018, Chapters 38, 95, 382, and 469

50 ENACTS:

- 51           **53B-8-114**, Utah Code Annotated 1953
- 52           **53B-8-301**, Utah Code Annotated 1953
- 53           **53B-8-302**, Utah Code Annotated 1953
- 54           **53B-8-303**, Utah Code Annotated 1953
- 55           **53B-8-304**, Utah Code Annotated 1953

56 REPEALS:

- 57           **53B-8-113**, as enacted by Laws of Utah 2017, Chapter 426

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

60 Section 1. Section **53B-6-105** is amended to read:

61 **53B-6-105. Engineering and Computer Technology Initiative.**

62 (1) The Legislature recognizes that a significant increase in the number of engineering,  
63 computer science, and related technology graduates from the state system of higher education is  
64 required over the next several years to advance the intellectual, cultural, social, and economic  
65 well-being of the state and its citizens.

66 (2) (a) (i) The [~~State Board of Regents~~] board shall therefore develop, establish, and  
67 maintain an Engineering and Computer Science Initiative within the state system of higher  
68 education to double the number of graduates in engineering, computer science, and related  
69 technology by 2006 and triple the number of graduates by 2009.

70 (ii) The board shall make [~~a rule~~] rules in accordance with Title 63G, Chapter 3, Utah  
71 Administrative Rulemaking Act, providing the criteria for those fields of study that qualify as  
72 "related technology" under this section and [~~Sections 53B-6-105.7 and~~] Section 53B-6-105.9.

73 (b) The initiative shall include components that:

74 (i) improve the quality of instructional programs in engineering, computer science, and  
75 related technology by providing supplemental money for equipment purchases; and

76 [~~(ii) provide incentives to:~~]

77 [~~(A) students through a scholarship program under Section 53B-6-105.7; and~~]

78 [~~(B)~~] (ii) provide incentives to institutions to hire and retain faculty under Section  
79 53B-6-105.9.

80 (3) The increase in program capacity under Subsection (2)(a) shall include funding for  
81 new and renovated capital facilities and funding for new engineering and computer science  
82 programs.

83 (4) The Legislature shall provide an annual appropriation to the [~~State Board of~~  
84 ~~Regents~~] board to fund the initiative.

85 Section 2. Section **53B-6-105.5** is amended to read:

86 **53B-6-105.5. Technology Initiative Advisory Board -- Composition -- Duties.**

87 (1) There is created a Technology Initiative Advisory Board to assist and make  
88 recommendations to the State Board of Regents in its administration of the Engineering and  
89 Computer Science Initiative established under Section 53B-6-105.

90 (2) (a) The advisory board shall consist of individuals appointed by the governor from  
91 business and industry who have expertise in the areas of engineering, computer science, and  
92 related technologies.

93 (b) The advisory board shall select a chair and cochair.

94 (c) The advisory board shall meet at the call of the chair.

95 (d) The State Board of Regents, through the commissioner of higher education, shall  
96 provide staff support for the advisory board.

97 (3) A member of an advisory board may not receive compensation or benefits for the  
98 member's service, but may receive per diem and travel expenses in accordance with:

99 (a) Section 63A-3-106;

100 (b) Section 63A-3-107; and

101 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
102 63A-3-107.

103 (4) The advisory board shall:

104 (a) make recommendations to the State Board of Regents on the allocation and  
105 distribution of money appropriated to fund:

106 (i) the faculty incentive program established in Section 53B-6-105.9; and

107 (ii) equipment purchases required to improve the quality of instructional programs in  
108 engineering, computer science, and related technology; [and]

109 [~~(iii) the scholarship program established in Section 53B-6-105.7.~~]

110 (b) prepare a strategic plan that details actions required by the State Board of Regents  
111 to meet the intent of the Engineering and Technology Science Initiative;

112 (c) review and assess engineering, computer science, and related technology programs  
113 currently being offered at higher education institutions and their impact on the economic  
114 prosperity of the state;

115 (d) provide the State Board of Regents with an assessment and reporting plan that:

116 (i) measures results against expectations under the initiative, including verification of  
117 the matching requirements for institutions of higher education to receive money under Section  
118 53B-6-105.9; and

119 (ii) includes an analysis of market demand for technical employment, program  
120 articulation among higher education institutions in engineering, computer science, and related

121 technology, tracking of student placement, student admission to the initiative program by  
122 region, transfer rates, and retention in and graduation rates from the initiative program; and

123 (e) make an annual report of its activities to the State Board of Regents.

124 (5) The annual report of the Technology Initiative Advisory Board shall include the  
125 summary report of the institutional matches described in Section 53B-6-105.9.

126 Section 3. Section 53B-6-105.7 is amended to read:

127 **53B-6-105.7. Initiative student scholarship program.**

128 (1) Notwithstanding the provisions of this section, beginning on July 1, 2019, the board  
129 may not accept or approve new applications for a scholarship described in this section.

130 ~~[(1)]~~ (2) (a) There is established an engineering, computer science, and related  
131 technology scholarship program as a component of the initiative created in Section 53B-6-105.

132 (b) The program is established to recruit, retain, and train engineering, computer  
133 science, and related technology students to assist in providing for and advancing the intellectual  
134 and economic welfare of the state.

135 ~~[(2)]~~ (3) (a) The board:

136 (i) may make rules for the overall administration of the scholarship program in  
137 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

138 (ii) shall administer the program in consultation with the Technology Initiative  
139 Advisory Board created in Section 53B-6-105.5.

140 (b) The board shall also use the following policies and procedures in administering the  
141 student scholarship program:

142 (i) students may use scholarship money at any institution within the state system of  
143 higher education that offers an engineering, computer science, or related technology degree;

144 (ii) scholarships shall be given to students who declare an intent to complete a  
145 prescribed course of instruction in one of the areas referred to in Subsection ~~[(2)]~~ (3)(b)(i) and  
146 to work in the state after graduation in one of those areas; and

147 (iii) a scholarship may be cancelled at any time by the institution of attendance, if the  
148 student fails to make reasonable progress towards obtaining the degree or there appears to be a  
149 reasonable certainty that the student does not intend to work in the state upon graduation.

150 ~~[(3) (a) By June 1 of each year, the Technology Initiative Advisory Board shall~~  
151 ~~recommend to the board a distribution of the scholarship funds to institutions in the state~~

152 system of higher education, based on a formula.]

153 ~~[(b) The Technology Initiative Advisory Board shall develop the formula for~~  
154 ~~distribution of total scholarship funds to the institutions, which shall contain the following~~  
155 ~~components:]~~

156 ~~[(i) the number of graduates of engineering, computer science, and related technology~~  
157 ~~degrees from the previous year;]~~

158 ~~[(ii) the number and level of engineering, computer science, and related technology~~  
159 ~~degrees offered at an institution; and]~~

160 ~~[(iii) the length of each engineering, computer science, and related technology degree~~  
161 ~~offered at an institution.]~~

162 (4) The Legislature shall make an annual appropriation to the board to fund the student  
163 scholarship program created in this section.

164 Section 4. Section **53B-8-105** is amended to read:

165 **53B-8-105. New Century scholarships -- High school requirements.**

166 (1) As used in this section, "complete the requirements for an associate degree" means  
167 that a student:

168 (a) (i) completes all the required courses for an associate degree from a higher  
169 education institution within the state system of higher education that offers associate degrees;  
170 and

171 (ii) applies for the associate degree from the institution; or

172 (b) completes equivalent requirements described in Subsection (1)(a)(i) from a higher  
173 education institution within the state system of higher education that offers baccalaureate  
174 degrees but does not offer associate degrees.

175 (2) (a) Notwithstanding the provisions of this section, beginning on July 1, 2019, the  
176 board may not accept or approve new applications for a scholarship described in this section.

177 (b) The board shall award New Century scholarships.

178 ~~[(b)]~~ (c) The board shall develop and approve the math and science curriculum  
179 described under Subsection (3)(a)(ii).

180 (3) (a) In order to qualify for a New Century scholarship, a student in Utah schools  
181 shall complete the requirements for an:

182 (i) associate degree; or

- 183 (ii) approved math and science curriculum.
- 184 (b) The requirements under Subsection (3)(a) shall be completed:
- 185 (i) (A) for a student whose class graduates from high school in 2010 or before, by  
186 September 1 of the year the student's class graduates from high school; or
- 187 (B) for a student whose class graduates from high school in 2011 or after, by the day on  
188 which the student's class graduates from high school; and
- 189 (ii) with at least a 3.0 grade point average.
- 190 (c) In addition to the requirements in Subsection (3)(a), a student in Utah schools  
191 whose class graduates from high school in 2011 or after shall:
- 192 (i) complete the high school graduation requirements of:
- 193 (A) a public high school established by the State Board of Education and the student's  
194 school district or charter school; or
- 195 (B) a private high school in the state that is accredited by a regional accrediting body  
196 approved by the board; and
- 197 (ii) complete high school with at least a 3.5 cumulative high school grade point  
198 average.
- 199 (4) Notwithstanding Subsection (3), for a student who does not receive a high school  
200 grade point average, the student shall:
- 201 (a) complete the requirements for an associate degree:
- 202 (i) (A) for a student who completes high school in 2010 or before, by September 1 of  
203 the year the student completes high school; or
- 204 (B) for a student who completes high school in 2011 or after, by June 15 of the year the  
205 student completes high school; and
- 206 (ii) with at least a 3.0 grade point average; and
- 207 (b) score a composite ACT score of 26 or higher.
- 208 (5) To be eligible for the scholarship, a student:
- 209 (a) shall submit an application to the board with:
- 210 (i) an official college transcript showing college courses the student has completed to  
211 complete the requirements for an associate degree; and
- 212 (ii) (A) if applicable, an official high school transcript; or
- 213 (B) if applicable, a copy of the student's ACT scores;

214 (b) shall be a citizen of the United States or a noncitizen who is eligible to receive  
215 federal student aid;

216 (c) may not have a criminal record, with the exception of a misdemeanor traffic  
217 citation; and

218 (d) if applicable, shall meet the application deadlines as established by the board under  
219 Subsection (10).

220 (6) (a) The scholarship may be used at a:

221 (i) higher education institution within the state system of higher education that offers  
222 baccalaureate programs; or

223 (ii) private, nonprofit college or university in the state accredited by the Northwest  
224 Association of Schools and Colleges that offers baccalaureate programs.

225 (b) For a student whose class graduates from high school in 2010 and who completes  
226 the requirements under Subsection (3)(a) by September 1, 2010:

227 (i) if used at an institution described in Subsection (6)(a)(i), the value of the  
228 scholarship is up to 75% of the tuition costs at the selected institution; or

229 (ii) if used at an institution described in Subsection (6)(a)(ii), the value of the  
230 scholarship is up to 75% of the tuition costs at the institution, not to exceed 75% of the average  
231 tuition costs at the institutions referred in Subsection (6)(a)(i).

232 (c) (i) For a student whose class graduates in 2011 or after and who completes the  
233 requirements under this section, the total value of the scholarship is up to \$5,000, allocated  
234 over a time period described in Subsection (6)(d), as prescribed by the board.

235 (ii) The board may increase the scholarship amount described in Subsection (6)(c)(i) by  
236 an amount not to exceed the average percentage tuition increase approved by the board for  
237 institutions in the state system of higher education.

238 (d) The scholarship is valid for the shortest of the following time periods:

239 (i) two years of full-time equivalent enrollment;

240 (ii) 60 credit hours; or

241 (iii) until the student meets the requirements for a baccalaureate degree.

242 (e) (i) A scholarship holder shall enroll full-time at a higher education institution by no  
243 later than the fall term immediately following the student's high school graduation date or  
244 receive an approved deferral from the board.



245 (ii) The board may grant a deferral or leave of absence to a scholarship holder, but the  
246 student may only receive scholarship money within five years of the student's high school  
247 graduation date.

248 (7) The board may cancel a New Century scholarship at any time if the student fails to:

249 (a) register for at least 15 credit hours per semester;

250 (b) maintain a 3.3 grade point average for two consecutive semesters; or

251 (c) make reasonable progress toward the completion of a baccalaureate degree.

252 (8) (a) Subject to future budget constraints, the Legislature shall make an annual  
253 appropriation from the General Fund to the board for the costs associated with the New  
254 Century Scholarship Program authorized under this section.

255 (b) It is understood that the appropriation is offset in part by the state money that would  
256 otherwise be required and appropriated for these students if they were enrolled in a four-year  
257 postsecondary program at a state-operated institution.

258 (c) Notwithstanding Subsections (2)~~(a)~~ (b) and (6), if the appropriation under  
259 Subsection (8)(a) is insufficient to cover the costs associated with the New Century Scholarship  
260 Program, the board may reduce the scholarship amount.

261 (9) (a) The board shall adopt policies establishing an application process and an appeal  
262 process for a New Century scholarship.

263 (b) The board shall disclose on all applications and related materials that the amount of  
264 the scholarship is subject to funding and may be reduced, in accordance with Subsection (8)(c).

265 (c) The board shall require an applicant for a New Century scholarship to certify under  
266 penalty of perjury that:

267 (i) the applicant is a United States citizen; or

268 (ii) the applicant is a noncitizen who is eligible to receive federal student aid.

269 (d) The certification under this Subsection (9) shall include a statement advising the  
270 signer that providing false information subjects the signer to penalties for perjury.

271 (10) The board may set deadlines for receiving New Century scholarship applications  
272 and supporting documentation.

273 (11) A student may not receive both a New Century scholarship and a Regents'  
274 scholarship established in Part 2, Regents' Scholarship Program.

275 Section 5. Section **53B-8-112** is amended to read:

276 **53B-8-112. Public Safety Officer Career Advancement Reimbursement Program.**

277 (1) The Public Safety Officer Career Advancement Reimbursement Program is created.

278 (2) (a) Notwithstanding the provisions in this section, the board may not reimburse an  
279 individual for an academic year that begins on or after July 1, 2019.280 (b) Subject to legislative appropriations and Subsection (7) the board shall reimburse  
281 an applicant who:282 [~~(a)~~] (i) is a certified peace officer, currently employed by a law enforcement agency  
283 within the state;284 [~~(b)~~] (ii) has been employed as a certified peace officer for three or more consecutive  
285 years;286 [~~(c)~~] (iii) is seeking a post-secondary degree in the area of criminal justice from a  
287 credit-granting higher education institution within the state system of higher education,  
288 described in Section 53B-1-102; and289 [~~(d)~~] (iv) is employed as a peace officer for one year following completion of the  
290 academic year for which the individual is seeking reimbursement.291 (3) Individuals who qualify for reimbursement from the Public Safety Officer Career  
292 Advancement Reimbursement [~~program~~] Program may apply for reimbursement by July 1 one  
293 year after each academic year for which they are requesting reimbursement.294 (4) Subject to Legislative appropriations, of the funds appropriated for the [~~Peace~~]  
295 Public Safety Officer Career Advancement Reimbursement Program:296 (a) 25% of the annual appropriation shall be designated for applicants who are  
297 currently employed by a law enforcement agency with jurisdiction in a county of the third or  
298 fourth class; and299 (b) 12% of the annual appropriation shall be designated for applicants who are  
300 currently employed by a law enforcement agency with jurisdiction in a county of the fifth or  
301 sixth class.302 (5) (a) A qualified applicant may be reimbursed up to half of the cost of tuition and  
303 fees.

304 (b) A reimbursement under Subsection (5)(a) is limited to:

305 (i) a maximum of \$5,000 each academic year; and

306 (ii) a maximum of eight academic years.

307 (6) (a) The board shall make rules in accordance with Title 63G, Chapter 3, Utah  
308 Administrative Rulemaking Act, to:

309 (i) set deadlines for receiving reimbursement applications and supporting  
310 documentation; and

311 (ii) establish the application process and an appeal process for a reimbursement from  
312 the [~~Peace~~] Public Safety Officer Career Advancement Reimbursement Program, including  
313 procedures to allow for online application submittals.

314 (b) The board shall include a disclosure on all applications and related materials that  
315 the amount of the awarded reimbursements may be subject to funding or be reduced, in  
316 accordance with Subsection (7).

317 (7) (a) Subject to future budget constraints, the Legislature shall make an annual  
318 appropriation from the Education Fund to the board for the costs associated with the [~~Peace~~]  
319 Public Safety Officer Career Advancement Reimbursement Program authorized under this  
320 section.

321 (b) Notwithstanding the provisions of this section, if the appropriation under this  
322 section is insufficient to cover the costs associated with the [~~Peace~~] Public Safety Officer  
323 Career Advancement Reimbursement Program, the board may reduce the amount of a  
324 reimbursement.

325 (c) Any individual who is denied reimbursement because of insufficient funds  
326 appropriated may re-apply for reimbursement up to two years after the first year of eligibility.

327 Section 6. Section **53B-8-114** is enacted to read:

328 **53B-8-114. Continuation of previously authorized scholarships.**

329 (1) As used in this section:

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

332 (b) "Scholarship term" means the length of time during which an individual is eligible  
333 to receive award money through a program described in Subsection (2)(a).

334 (2) The board or an institution of higher education:

335 (a) beginning on July 1, 2019, may not accept or approve new applications for an  
336 award described in:

337 (i) Section [53B-6-105.7](#), which describes engineering and computer technology

338 scholarships;

339 (ii) Section 53B-8-105, which describes New Century scholarships;

340 (iii) Section 53B-8-112, which describes a reimbursement for public safety officers; or

341 (iv) Chapter 8, Part 2, Regents' Scholarship Program; and

342 (b) may pay, through the end of the scholarship term, an award through a program

343 described in Subsection (2)(a) to an individual whose application for the program was accepted

344 or approved before July 1, 2019.

345 Section 7. Section 53B-8-201 is amended to read:

346 **53B-8-201. Regents' Scholarship Program.**

347 (1) As used in this section:

348 (a) "Eligible institution" means:

349 (i) a credit-granting institution of higher education within the state system of higher

350 education described in Section 53B-1-102; or

351 (ii) a private, nonprofit college or university in the state that is accredited by the

352 Northwest Commission on Colleges and Universities.

353 (b) "Eligible student" means a student who:

354 (i) applies to the board in accordance with the rules described in Subsection ~~[(6)]~~ (7);

355 (ii) is enrolled in an eligible institution; and

356 (iii) meets the criteria established by the board in rules described in Subsection ~~[(6)]~~

357 (7).

358 (c) "Program" means the Regents' Scholarship Program described in this section.

359 (2) Notwithstanding the provisions of this section, beginning on July 1, 2019, the board

360 may not accept or approve new applications for a Regents' scholarship.

361 ~~[(2)]~~ (3) (a) A student who graduates from high school after July 1, 2018, and before

362 July 1, 2019:

363 (i) may receive a Regents' scholarship in accordance with this section; and

364 (ii) may not ~~[may]~~ receive a scholarship in accordance with Sections 53B-8-202

365 through 53B-8-205.

366 (b) A student who graduates from high school on or before July 1, 2018:

367 (i) may receive a scholarship in accordance with Sections 53B-8-202 through

368 53B-8-205; and

369 (ii) may not receive a Regents' scholarship in accordance with this section.

370 [~~(3)~~] (4) (a) Subject to legislative appropriations and Subsection [~~(3)~~] (4)(d), beginning  
371 with an appropriation for fiscal year 2019, the board shall annually distribute money for the  
372 Regents' Scholarship Program described in this section to each eligible institution to award as  
373 Regents' scholarships to eligible students.

374 (b) The board shall annually determine the amount of a Regents' scholarship based on:

375 (i) the number of eligible students in the state; and

376 (ii) money available for the program.

377 (c) The board shall annually determine the total amount of money to distribute to an  
378 eligible institution based on the eligible institution's share of all eligible students in the state.

379 (d) An eligible institution that is a private, nonprofit college or university shall, to  
380 receive money distributed by the board described in Subsection [~~(3)~~] (4)(a), enter into a written  
381 agreement with the board in which the eligible institution agrees to:

382 (i) provide the board with access to information and data necessary for the purposes of  
383 the program; and

384 (ii) comply with an audit by the board described in Subsection [~~(5)~~] (6) if the board  
385 conducts an audit.

386 [~~(4)~~] (5) (a) Except as provided in Subsection [~~(4)~~] (5)(b), an eligible institution shall  
387 provide to an eligible student a Regents' scholarship in the amount determined by the board  
388 described in Subsection [~~(3)~~] (4)(b).

389 (b) An eligible institution may reduce the amount of a Regents' scholarship provided to  
390 an eligible student based on other state aid awarded to the eligible student for tuition and fees.

391 [~~(5)~~] (6) The board may:

392 (a) audit an eligible institution's administration of Regents' scholarships; and

393 (b) require an eligible institution to repay to the board money distributed to the eligible  
394 institution under this section that is not provided to an eligible student as a Regents'  
395 scholarship.

396 [~~(6)~~] (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
397 Act, the board shall make rules that establish:

398 (a) requirements related to an eligible institution's administration of Regents'  
399 scholarships;

400 (b) a process for a student to apply to the board to determine the student's eligibility for  
401 a Regents' scholarship;

402 (c) criteria to determine a student's eligibility for a Regents' scholarship, including:

403 (i) minimum secondary education academic performance standards;

404 (ii) the completion of secondary core curriculum and graduation requirements;

405 (iii) the completion of a Free Application for Federal Student Aid;

406 (iv) need-based measures that address college affordability and access; and

407 (v) minimum enrollment requirements in an eligible institution; and

408 (d) a requirement for each eligible institution to annually report to the board on all  
409 Regents' scholarships awarded by the eligible institution.

410 ~~[(7) The board shall annually report on the program to the Higher Education~~  
411 ~~Appropriations Subcommittee.]~~

412 (8) (a) The State Board of Education, a school district, or a public high school shall  
413 cooperate with the board and eligible institutions to facilitate the program, including by  
414 exchanging relevant data where allowed by law.

415 (b) The State Board of Education shall annually provide to the board a list of directory  
416 information, including name and address, for each grade 8 student in the state.

417 Section 8. Section **53B-8-301** is enacted to read:

418 **Part 3. Access Utah Promise Scholarship Program**

419 **53B-8-301. Definitions.**

420 As used in this part:

421 (1) "Access Utah promise scholarship" or "promise scholarship" means a scholarship  
422 described in Section [53B-8-303](#).

423 (2) "Eligible individual" means an individual who:

424 (a) applies for a promise scholarship in accordance with Section [53B-8-303](#); and

425 (b) meets the eligibility requirements described in Section [53B-8-303](#).

426 (3) "Eligible institution of higher education" or "institution" means an institution  
427 described in Section [53B-1-102](#) that offers a program of study that leads to an associate degree  
428 or certificate.

429 (4) "Membership hour" means 60 minutes of scheduled instruction provided by an  
430 eligible institution to a student enrolled in a noncredit certificate program.

- 431 (5) "Partner award" means a financial award described in Section 53B-8-304.
- 432 (6) "Promise partner" means an employer that participates in the program described in
- 433 Section 53B-8-304.
- 434 Section 9. Section **53B-8-302** is enacted to read:
- 435 **53B-8-302. Access Utah Promise Scholarship Program.**
- 436 (1) There is created the Access Utah Promise Scholarship Program, which includes:
- 437 (a) promise scholarships described Section 53B-8-303; and
- 438 (b) partner awards described in Section 53B-8-304.
- 439 (2) The board may not allocate more than 20% of a legislative appropriation for the
- 440 Access Utah Promise Scholarship Program for partner awards.
- 441 Section 10. Section **53B-8-303** is enacted to read:
- 442 **53B-8-303. Access Utah promise scholarships.**
- 443 (1) An individual may apply for a promise scholarship in accordance with the rules
- 444 described in Subsection (8).
- 445 (2) An individual is eligible to receive a promise scholarship if the individual:
- 446 (a) (i) has a high school diploma or the equivalent; and
- 447 (ii) does not have an associate or higher postsecondary degree;
- 448 (b) demonstrates financial need, in accordance with the rules described in Subsection
- 449 (8);
- 450 (c) is a Utah resident;
- 451 (d) enrolls in an institution; and
- 452 (e) accepts all other grants and scholarships offered to the individual to attend the
- 453 institution in which the individual enrolls.
- 454 (3) Subject to legislative appropriations, and in accordance with the rules described in
- 455 Subsection (8), the board shall annually distribute money for promise scholarships to each
- 456 institution.
- 457 (4) (a) Except as provided in Subsection (4)(d), an institution shall award a promise
- 458 scholarship to an eligible individual.
- 459 (b) For a promise scholarship recipient, an institution shall:
- 460 (i) evaluate the recipient's knowledge, skills, and competencies acquired through
- 461 formal or informal education outside the traditional postsecondary academic environment; and

462 (ii) award credit, as applicable, for the recipient's prior learning described in Subsection  
463 (4)(b)(i).

464 (c) An institution shall award a promise scholarship in an amount that is equal to the  
465 difference between:

466 (i) the total cost of tuition and fees for the program in which the recipient is enrolled;  
467 and

468 (ii) the total value of all other grants, fee waivers, and scholarships received by the  
469 recipient to attend the institution.

470 (d) If an institution's distribution described in Subsection (3) is insufficient to award a  
471 promise scholarship to each eligible individual in the amount described in Subsection (4)(c),  
472 the institution:

473 (i) shall, when possible, use other funding sources to fully fund the amount described  
474 in Subsection (4)(c) for each eligible individual; and

475 (ii) may prioritize promise scholarships based on financial need in accordance with the  
476 rules described in Subsection (8).

477 (5) (a) Subject to Subsection (5)(b), an institution shall continue to award a promise  
478 scholarship to a recipient who meets the requirements established by the board in the rules  
479 described in Subsection (8) until the earliest of the following:

480 (i) two years after the individual initially receives a promise scholarship;

481 (ii) the recipient uses a promise scholarship to attend an institution for four semesters;

482 or

483 (iii) the recipient completes an associate degree.

484 (b) A recipient may not use a promise scholarship to complete more than 900  
485 membership hours.

486 (6) A recipient may only use a promise scholarship for tuition and fees.

487 (7) A promise scholarship is transferable between institutions.

488 (8) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
489 and Subsection (8)(b), the board shall make rules to establish:

490 (i) requirements related to whether an individual is eligible for a promise scholarship,  
491 including:

492 (A) a process for an eligible individual to defer a promise scholarship;



493 (B) how an individual demonstrates financial need for purposes of receiving a promise  
494 scholarship; and

495 (C) how to determine whether an individual is a Utah resident;

496 (ii) a process and requirements for an individual to apply for a promise scholarship;

497 (iii) a formula to determine the distributions to each institution described in Subsection

498 (3) that takes into account:

499 (A) the cost of tuition and fees for programs offered by institutions; and

500 (B) the number of eligible individuals who attend each institution;

501 (iv) how an institution may prioritize awarding scholarships based on the financial  
502 needs of eligible individuals;

503 (v) conditions a recipient is required to meet to continue to receive a promise

504 scholarship, including requirements related to academic achievement and enrollment status;

505 and

506 (vi) a requirement that in communicating about promise scholarships to recipients and

507 potential recipients, the board and institutions do not portray the Access Utah Promise

508 Scholarship Program as a program that is guaranteed to be in effect indefinitely.

509 (b) In making the rules described in Subsection (8)(a), the board shall consult with the  
510 Utah System of Technical Colleges Board of Trustees.

511 Section 11. Section **53B-8-304** is enacted to read:

512 **53B-8-304. Utah promise partners.**

513 (1) In consultation with the Talent Ready Utah Center created in Section [63N-12-502](#),  
514 and in accordance with Subsection (2), the board shall select employers to be promise partners.

515 (2) The board may select an employer as a promise partner if the employer:

516 (a) applies to the board to be a promise partner; and

517 (b) meets other requirements established by the board in the rules described in

518 Subsection (5).

519 (3) An individual employed by a promise partner is eligible to receive a partner award  
520 if the individual:

521 (a) applies for a partner award;

522 (b) is admitted to and enrolled in an institution;

523 (c) is a Utah resident;

524 (d) does not have an associate or higher postsecondary degree;  
525 (e) meets requirements established by the promise partner related to a partner award;

526 and

527 (f) maintains the eligibility requirements described in this Subsection (3) for the full  
528 length of time the individual receives the partner award.

529 (4) (a) Subject to legislative appropriations and Subsection (4)(b), the board shall  
530 award a partner award to an individual who meets the requirements described in Subsection  
531 (3).

532 (b) The board may:

533 (i) award a partner award for up to the portion of tuition and fees for a program at an  
534 institution that is not covered by an employer reimbursement described in Subsection (5)(b);  
535 and

536 (ii) prioritize awarding partner awards if an appropriation for partner awards is not  
537 sufficient to provide a partner award to each individual who is eligible under Subsection (3).

538 (c) (i) Subject to Subsection (4)(c)(ii), the board may continue to award a partner award  
539 to a recipient who meets the requirements described in Subsection (3) until the earliest of the  
540 following:

541 (A) two years after the individual initially receives a partner award;

542 (B) the recipient uses a partner award to attend an institution for four semesters; or

543 (C) the recipient completes an associate degree.

544 (ii) A recipient may not use a partner award to complete more than 900 membership  
545 hours.

546 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
547 board shall make rules that establish:

548 (a) requirements for an employer to seek and receive approval from the board for the  
549 employer's employees to receive partner awards;

550 (b) requirements related to an employer providing reimbursement to an employee who  
551 receives a partner award for a portion of the employee's tuition and fees;

552 (c) a process for an individual to apply for a partner award;

553 (d) criteria for the board to prioritize awarding partner awards; and

554 (e) a requirement that an institution shall, for a recipient of a partner award:

555 (i) evaluate the recipient's knowledge, skills, and competencies acquired through  
556 formal or informal education outside the traditional postsecondary academic environment; and  
557 (ii) award credit, as applicable, for the recipient's prior learning described in Subsection  
558 (5)(d)(i).

559 Section 12. Section **53B-8a-107** is amended to read:

560 **53B-8a-107. Program, administrative, and endowment funds -- Investment and**  
561 **payments from funds.**

562 (1) (a) The plan shall segregate money received by the plan into three funds, the  
563 program fund, the administrative fund, and the endowment fund.

564 (b) The plan, as approved by the board, may hold, deposit, and invest program fund,  
565 administrative fund, and endowment fund money in the following:

566 (i) the Public Treasurer's Investment Fund;

567 (ii) mutual funds, securities, or other investments registered with the United States  
568 Securities and Exchange Commission;

569 (iii) federally insured depository institutions;

570 (iv) stable value products, including guaranteed investment contracts, guaranteed  
571 interest contracts, and guaranteed insurance contracts; and

572 (v) any investments that are determined by the board to be appropriate and that would  
573 be authorized under:

574 (A) the provisions of Section [51-7-11](#); or

575 (B) rules of the State Money Management Council applicable to gift funds.

576 (2) Transfers may be made from the program fund to the administrative fund to pay  
577 operating costs:

578 (a) associated with administering the plan and as required under Sections [53B-8a-103](#)  
579 through [53B-8a-105](#); and

580 (b) as included in the budget approved by the board.

581 (3) (a) All money paid by account owners in connection with account agreements shall  
582 be deposited as received into separate accounts within the program fund which shall be  
583 invested and accounted for separately.

584 (b) Money accrued by account owners in the program fund may be used for:

585 (i) payments to any institution of higher education;

- 586 (ii) payments to the account owner or beneficiary;
- 587 (iii) transfers to another 529 plan; or
- 588 (iv) other expenditures or transfers made in accordance with the account agreement.

589 (4) (a) All money received by the plan from the proceeds of gifts and other  
 590 endowments for the purposes of the plan shall be:

591 (i) deposited, according to the nature of the donation, as received into the endowment  
 592 fund or the administrative fund; and

593 (ii) invested and accounted for separately.

594 (b) Any gifts, grants, or donations made by any governmental unit or any person, firm,  
 595 partnership, or corporation to the plan for deposit to the endowment fund or the administrative  
 596 fund is a grant, gift, or donation to the state for the accomplishment of a valid public  
 597 eleemosynary, charitable, and educational purpose and is not included in the income of the  
 598 donor for Utah tax purposes.

599 (c) (i) The endowment fund or the administrative fund may be used to enhance the  
 600 savings of low income account owners investing in the plan, for scholarships, or for other  
 601 college savings incentive programs as approved by the board.

602 (ii) The board may use up to 3% of the money in the endowment fund for  
 603 administrative costs associated with implementing Chapter 8, Part 3, Access Utah Promise  
 604 Scholarship Program.

605 (d) Transfers may be made between the endowment fund and the administrative fund  
 606 upon approval by the board.

607 (e) Endowment fund earnings not accruing to a beneficiary under an account  
 608 agreement, not transferred to the administrative fund, or not otherwise approved by the board  
 609 for expenditure, shall be reinvested in the endowment fund.

610 Section 13. Section **63G-12-402** is amended to read:

611 **63G-12-402. Receipt of state, local, or federal public benefits -- Verification --**  
 612 **Exceptions -- Fraudulently obtaining benefits -- Criminal penalties -- Annual report.**

613 (1) (a) Except as provided in Subsection (3) or when exempted by federal law, an  
 614 agency or political subdivision of the state shall verify the lawful presence in the United States  
 615 of an individual at least 18 years of age who applies for:

616 (i) a state or local public benefit as defined in 8 U.S.C. Sec. 1621; or

617 (ii) a federal public benefit as defined in 8 U.S.C. Sec. 1611, that is administered by an  
618 agency or political subdivision of this state.

619 (b) For purpose of a license issued under Title 58, Chapter 55, Utah Construction  
620 Trades Licensing Act, to an applicant that is an unincorporated entity, the Department of  
621 Commerce shall verify in accordance with this Subsection (1) the lawful presence in the United  
622 States of each individual who:

623 (i) owns an interest in the contractor that is an unincorporated entity; and

624 (ii) engages, or will engage, in a construction trade in Utah as an owner of the  
625 contractor described in Subsection (1)(b)(i).

626 (2) This section shall be enforced without regard to race, religion, gender, ethnicity, or  
627 national origin.

628 (3) Verification of lawful presence under this section is not required for:

629 (a) any purpose for which lawful presence in the United States is not restricted by law,  
630 ordinance, or regulation;

631 (b) assistance for health care items and services that:

632 (i) are necessary for the treatment of an emergency medical condition, as defined in 42  
633 U.S.C. Sec. 1396b(v)(3), of the individual involved; and

634 (ii) are not related to an organ transplant procedure;

635 (c) short-term, noncash, in-kind emergency disaster relief;

636 (d) public health assistance for immunizations with respect to immunizable diseases  
637 and for testing and treatment of symptoms of communicable diseases whether or not the  
638 symptoms are caused by the communicable disease;

639 (e) programs, services, or assistance such as soup kitchens, crisis counseling and  
640 intervention, and short-term shelter, specified by the United States Attorney General, in the  
641 sole and unreviewable discretion of the United States Attorney General after consultation with  
642 appropriate federal agencies and departments, that:

643 (i) deliver in-kind services at the community level, including through public or private  
644 nonprofit agencies;

645 (ii) do not condition the provision of assistance, the amount of assistance provided, or  
646 the cost of assistance provided on the income or resources of the individual recipient; and

647 (iii) are necessary for the protection of life or safety;

648 (f) the exemption for paying the nonresident portion of total tuition as set forth in  
649 Section [53B-8-106](#);

650 (g) an applicant for a license under Section [61-1-4](#), if the applicant:

651 (i) is registered with the Financial Industry Regulatory Authority; and

652 (ii) files an application with the state Division of Securities through the Central  
653 Registration Depository;

654 (h) a state public benefit to be given to an individual under Title 49, Utah State  
655 Retirement and Insurance Benefit Act;

656 (i) a home loan that will be insured, guaranteed, or purchased by:

657 (i) the Federal Housing Administration, the Veterans Administration, or any other  
658 federal agency; or

659 (ii) an enterprise as defined in 12 U.S.C. Sec. 4502;

660 (j) a subordinate loan or a grant that will be made to an applicant in connection with a  
661 home loan that does not require verification under Subsection (3)(i);

662 (k) an applicant for a license issued by the Department of Commerce or individual  
663 described in Subsection (1)(b), if the applicant or individual provides the Department of  
664 Commerce:

665 (i) certification, under penalty of perjury, that the applicant or individual is:

666 (A) a United States citizen;

667 (B) a qualified alien as defined in 8 U.S.C. Sec. 1641; or

668 (C) lawfully present in the United States; and

669 (ii) (A) the number assigned to a driver license or identification card issued under Title  
670 53, Chapter 3, Uniform Driver License Act; or

671 (B) the number assigned to a driver license or identification card issued by a state other  
672 than Utah if, as part of issuing the driver license or identification card, the state verifies an  
673 individual's lawful presence in the United States; and

674 (l) an applicant for:

675 (i) a Regents' scholarship described in Title 53B, Chapter 8, Part 2, Regents'  
676 Scholarship Program;

677 (ii) a New Century scholarship described in Section [53B-8-105](#); [or]

678 (iii) a promise scholarship described in Section [53B-8-303](#); or

679            [~~(iii)~~] (iv) a privately funded scholarship:

680            (A) for an individual who is a graduate of a high school located within Utah; and

681            (B) administered by an institution of higher education as defined in Section 53B-2-101.

682            (4) (a) An agency or political subdivision required to verify the lawful presence in the

683 United States of an applicant under this section shall require the applicant to certify under

684 penalty of perjury that:

685            (i) the applicant is a United States citizen; or

686            (ii) the applicant is:

687            (A) a qualified alien as defined in 8 U.S.C. Sec. 1641; and

688            (B) lawfully present in the United States.

689            (b) The certificate required under this Subsection (4) shall include a statement advising  
690 the signer that providing false information subjects the signer to penalties for perjury.

691            (5) An agency or political subdivision shall verify a certification required under  
692 Subsection (4)(a)(ii) through the federal SAVE program.

693            (6) (a) An individual who knowingly and willfully makes a false, fictitious, or  
694 fraudulent statement or representation in a certification under Subsection (3)(k) or (4) is subject  
695 to the criminal penalties applicable in this state for:

696            (i) making a written false statement under Subsection 76-8-504(2); and

697            (ii) fraudulently obtaining:

698            (A) public assistance program benefits under Sections 76-8-1205 and 76-8-1206; or

699            (B) unemployment compensation under Section 76-8-1301.

700            (b) If the certification constitutes a false claim of United States citizenship under 18  
701 U.S.C. Sec. 911, the agency or political subdivision shall file a complaint with the United  
702 States Attorney General for the applicable district based upon the venue in which the  
703 application was made.

704            (c) If an agency or political subdivision receives verification that a person making an  
705 application for a benefit, service, or license is not a qualified alien, the agency or political  
706 subdivision shall provide the information to the Office of the Attorney General unless  
707 prohibited by federal mandate.

708            (7) An agency or political subdivision may adopt variations to the requirements of this  
709 section that:

710 (a) clearly improve the efficiency of or reduce delay in the verification process; or

711 (b) provide for adjudication of unique individual circumstances where the verification  
712 procedures in this section would impose an unusual hardship on a legal resident of Utah.

713 (8) It is unlawful for an agency or a political subdivision of this state to provide a state,  
714 local, or federal benefit, as defined in 8 U.S.C. Sec. 1611 and 1621, in violation of this section.

715 (9) A state agency or department that administers a program of state or local public  
716 benefits shall:

717 (a) provide an annual report to the governor, the president of the Senate, and the  
718 speaker of the House regarding its compliance with this section; and

719 (b) (i) monitor the federal SAVE program for application verification errors and  
720 significant delays;

721 (ii) provide an annual report on the errors and delays to ensure that the application of  
722 the federal SAVE program is not erroneously denying a state or local benefit to a legal resident  
723 of the state; and

724 (iii) report delays and errors in the federal SAVE program to the United States  
725 Department of Homeland Security.

726 Section 14. Section **63I-2-253** is amended to read:

727 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

728 [~~(1)~~ Section ~~53A-24-602~~ is repealed July 1, 2018.]

729 [~~(2)~~] (1) (a) Subsections ~~53B-2a-103~~(2) and (4) are repealed July 1, 2019.

730 (b) When repealing Subsections ~~53B-2a-103~~(2) and (4), the Office of Legislative  
731 Research and General Counsel shall, in addition to its authority under Subsection ~~36-12-12~~(3),  
732 make necessary changes to subsection numbering and cross references.

733 [~~(3)~~] (2) (a) Subsection ~~53B-2a-108~~(5) is repealed July 1, 2022.

734 (b) When repealing Subsection ~~53B-2a-108~~(5), the Office of Legislative Research and  
735 General Counsel shall, in addition to its authority under Subsection ~~36-12-12~~(3), make  
736 necessary changes to subsection numbering and cross references.

737 [~~(4)~~] (3) (a) Subsection ~~53B-7-705~~(6)(b)(ii)(A), the language that states "Except as  
738 provided in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

739 (b) Subsection ~~53B-7-705~~(6)(b)(ii)(B) is repealed July 1, 2021.

740 [~~(5)~~] (4) (a) Subsection ~~53B-7-707~~(4)(a)(ii), the language that states "Except as



741 provided in Subsection (4)(b)," is repealed July 1, 2021.

742 (b) Subsection [53B-7-707\(4\)\(b\)](#) is repealed July 1, 2021.

743 [~~(6)~~ (a) ~~The following sections are repealed on July 1, 2023:~~]

744 [~~(i)~~ Section [53B-8-202](#);

745 [~~(ii)~~ Section [53B-8-203](#);

746 [~~(iii)~~ Section [53B-8-204](#); and]

747 [~~(iv)~~ Section [53B-8-205](#).]

748 [~~(b)~~ (i) Subsection [53B-8-201\(2\)](#) is repealed on July 1, 2023.]

749 [(ii) ~~When repealing Subsection [53B-8-201\(2\)](#), the Office of Legislative Research and~~

750 ~~General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#), make~~

751 ~~necessary changes to subsection numbering and cross references.~~]

752 (5) Section [53B-6-105.7](#) is repealed July 1, 2024.

753 (6) Section [53B-8-105](#) is repealed July 1, 2024.

754 (7) Section [53B-8-112](#) is repealed July 1, 2024.

755 (8) Section [53B-8-114](#) is repealed July 1, 2024.

756 (9) Title 53B, Chapter 8, Part 2, Regents' Scholarship Program, is repealed July 1,

757 2024.

758 [~~(7)~~ (10) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is

759 repealed July 1, 2023.

760 [~~(8)~~ (11) Subsection [53E-5-306\(3\)\(b\)\(ii\)\(B\)](#) is repealed July 1, 2020.

761 [~~(9)~~ (12) Section [53E-5-307](#) is repealed July 1, 2020.

762 [~~(10)~~ (13) Subsections [53F-2-205\(4\)](#) and (5), the language that states "or [53F-2-301.5](#),

763 as applicable" is repealed July 1, 2023.

764 [~~(11)~~ (14) Subsection [53F-2-301\(1\)](#) is repealed July 1, 2023.

765 [~~(12)~~ (15) Subsection [53F-2-515\(1\)](#), the language that states "or [53F-2-301.5](#), as

766 applicable" is repealed July 1, 2023.

767 [~~(13)~~ (16) Section [53F-4-204](#) is repealed July 1, 2019.

768 [~~(14)~~ (17) Section [53F-6-202](#) is repealed July 1, 2020.

769 [~~(15)~~ (18) Subsection [53F-9-302\(3\)](#), the language that states "or [53F-2-301.5](#), as

770 applicable" is repealed July 1, 2023.

771 [~~(16)~~ (19) Subsection [53F-9-305\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as

772 applicable" is repealed July 1, 2023.

773 ~~[(17)]~~ (20) Subsection [53F-9-306\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as  
774 applicable" is repealed July 1, 2023.

775 ~~[(18)]~~ (21) Subsection [53G-3-304\(1\)\(c\)\(i\)](#), the language that states "or [53F-2-301.5](#), as  
776 applicable" is repealed July 1, 2023.

777 ~~[(19)]~~ (22) On July 1, 2023, when making changes in this section, the Office of  
778 Legislative Research and General Counsel shall, in addition to the office's authority under  
779 Subsection [36-12-12\(3\)](#), make corrections necessary to ensure that sections and subsections  
780 identified in this section are complete sentences and accurately reflect the office's perception of  
781 the Legislature's intent.

782 Section 15. Section **63I-2-263** is amended to read:

783 **63I-2-263. Repeal dates, Title 63A to Title 63N.**

784 (1) On July 1, 2020:

785 (a) Subsection [63A-3-403\(5\)\(a\)\(i\)](#) is repealed; and

786 (b) in Subsection [63A-3-403\(5\)\(a\)\(ii\)](#), the language that states "appointed on or after  
787 May 8, 2018," is repealed.

788 (2) Title 63C, Chapter 19, Higher Education Strategic Planning Commission is  
789 repealed July 1, 2020.

790 (3) Subsection [63G-12-402\(3\)\(l\)\(i\)](#) referring to a Regents' scholarship and Subsection  
791 [63G-12-402\(3\)\(l\)\(ii\)](#) referring to a New Century scholarship are repealed on July 1, 2024.

792 ~~[(3)]~~ (4) Section [63H-7a-303](#) is repealed on July 1, 2022.

793 ~~[(4)]~~ (5) On July 1, 2019:

794 (a) in Subsection [63J-1-206\(2\)\(c\)\(i\)](#), the language that states "Subsection (2)(c)(ii) and"  
795 is repealed; and

796 (b) Subsection [63J-1-206\(2\)\(c\)\(ii\)](#) is repealed.

797 ~~[(5)]~~ (6) Section [63J-4-708](#) is repealed January 1, 2023.

798 ~~[(6)]~~ (7) Subsection [63N-3-109\(2\)\(f\)\(i\)\(B\)](#) is repealed July 1, 2020.

799 ~~[(7)]~~ (8) Section [63N-3-110](#) is repealed July 1, 2020.

800 Section 16. **Repealer.**

801 This bill repeals:

802 Section **53B-8-113, Reporting.**

803 Section 17. **Appropriation.**

804 The following sums of money are appropriated for the fiscal year beginning July 1,  
805 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for  
806 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
807 Act, the Legislature appropriates the following sums of money from the funds or accounts  
808 indicated for the use and support of the government of the state of Utah.

809 ITEM 1

810 To Board of Regents – Student Assistance

811 From Education Fund, One-time \$30,000,000

812 Schedule of Programs:

813 Access Utah Promise Scholarship Program \$30,000,000

814 The Legislature intends that:

815 (1) appropriations under this item be used for the Access Utah Promise Scholarship  
816 Program described in Title 53B, Chapter 8, Part 3, Access Utah Promise Scholarship Program;  
817 and

818 (2) under Section 64J-1-603, appropriations provided under this item not lapse at the  
819 close of fiscal year 2020 and the use of any nonlapsing funds is limited to the purposes  
820 described in Title 53B, Chapter 8, Part 3, Access Utah Promise Scholarship Program.