

**FALLEN OFFICER MEMORIAL SCHOLARSHIP PROGRAM**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Tyler Clancy**

Senate Sponsor: Curtis S. Bramble

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Joseph Elison	Thomas W. Peterson	
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Katy Hall		

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**LONG TITLE**

**General Description:**

This bill creates the Fallen Officer Memorial Scholarship Program to be administered by the Department of Public Safety.

**Highlighted Provisions:**

This bill:

- defines terms;
- creates the Fallen Officer Memorial Scholarship Program to be administered by the Department of Public Safety to provide certain funds to children of public safety officers and firefighters who have died in the line of duty; and
- grants the Department of Public Safety rulemaking authority to administer the

27 program.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 ENACTS:

34 [53-17a-101](#), Utah Code Annotated 1953

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

37 Section 1. Section [53-17a-101](#) is enacted to read:

38 **CHAPTER 17a. FALLEN OFFICER MEMORIAL SCHOLARSHIP PROGRAM**

39 **[53-17a-101](#). Fallen Officer Memorial Scholarship Program -- Rulemaking.**

40 (1) As used in this section:

41 (a) "Child" means an individual who:

42 (i) is a natural or adopted child of a public safety officer or a firefighter who died in the  
43 line of duty; and

44 (ii) was under the age of 25 at the time of the public safety officer's or firefighter's  
45 death.

46 (b) "Died in the line of duty" means a death that is classified as a line-of-duty death  
47 under the provisions of Section [49-14-102](#), [49-15-102](#), [49-16-102](#), or [49-23-102](#).

48 (c) "Educational-related expenses" includes tuition, fees, books, and other expenses  
49 related to obtaining an education.

50 (d) "Firefighter" means the same as that term is defined in Section [34A-3-113](#).

51 (e) "Public safety officer" means an individual who:

52 (i) is employed as:

53 (A) a law enforcement officer in accordance with Section [53-13-103](#);

54 (B) a correctional officer in accordance with Section 53-13-104; or  
55 (C) a special function officer in accordance with Section 53-13-105; and  
56 (ii) in the course of the individual's employment, put the individual's life or personal  
57 safety at risk.

58 (2) This section creates the Fallen Officer Memorial Scholarship Program, to be  
59 administered by the department.

60 (3) Subject to legislative appropriations and Subsection (6), the department shall  
61 provide \$5,000 per year for up to four years to an applicant who:

62 (a) is a child of a public safety officer or a firefighter who died in the line of duty;

63 (b) is 17 years old or older;

64 (c) certifies, on a form provided by the department, that the applicant agrees to use the  
65 funds entirely for educational-related expenses; and

66 (d) fulfills any other application requirement established by the department.

67 (4) Nothing in this section affects a child's ability to obtain a tuition waiver under  
68 Section 53B-8c-103.

69 (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
70 the department may make rules necessary to administer this section, including:

71 (i) setting deadlines for receiving applications and supporting documentation; and

72 (ii) establishing the application process and an appeal process for the Fallen Officer  
73 Memorial Scholarship Program.

74 (b) The department shall include a disclosure on all applications and related materials  
75 that the amount of funds provided may be subject to funding or be reduced, in accordance with  
76 Subsection (6).

77 (6) (a) Subject to future budget constraints, the Legislature shall make an annual  
78 appropriation from the Income Tax Fund to the department for the costs associated with the  
79 Fallen Officer Memorial Scholarship Program authorized under this section.

80 (b) Notwithstanding the provisions of this section, if the appropriation under this

81 section is insufficient to cover the costs associated with the Fallen Officer Memorial

82 Scholarship Program, the department may:

83 (i) reduce the amount of funds distributed to an applicant; or

84 (ii) distribute funds on a pro rata basis to all eligible applicants who submitted a

85 complete application before the application deadline.

86 Section 2. **Effective date.**

87 This bill takes effect on July 1, 2023.