

Representative Calvin R. Musselman proposes the following substitute bill:

VETERAN DEPENDENT TUITION AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill creates a financial assistance program for dependents of disabled veterans who enroll at a state institution of higher education.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides the requirements for a dependent of a disabled veteran to receive financial assistance;
- ▶ grants rulemaking authority to the Department of Veterans and Military Affairs, in coordination with the Utah Board of Higher Education, to make rules governing the financial assistance program; and
- ▶ establishes reporting requirements and a cap on administrative costs.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2024:

- ▶ to Department of Veterans and Military Affairs -- DVMA Pass Through -- DVMA Pass Through as an ongoing appropriation:
 - from the General Fund, \$100,000.

Other Special Clauses:



26 This bill provides a special effective date.

27 This bill provides a coordination clause.

28 **Utah Code Sections Affected:**

29 ENACTS:

30 [71-15-101](#), Utah Code Annotated 1953

31 [71-15-102](#), Utah Code Annotated 1953

32 **Utah Code Sections Affected by Coordination Clause:**

33 [71-15-101](#), Utah Code Annotated 1953

34 [71-15-102](#), Utah Code Annotated 1953



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

37 Section 1. Section **71-15-101** is enacted to read:

38 **CHAPTER 15. TUITION AND FEES ASSISTANCE**

39 **71-15-101. Definitions.**

40 As used in this chapter:

41 (1) "Board" means the Utah Board of Higher Education described in Section

42 [53B-1-402.](#)

43 (2) (a) "Fee" means a general course fee, in addition to tuition, that is:

44 (i) imposed by an institution of higher education; and

45 (ii) required to be paid by a student to engage in a course of study at the institution of
46 higher education.

47 (b) "Fee" does not include a special course fee.

48 (3) "Qualifying disabled veteran" means a veteran who has a 100% service-connected
49 disability rating by the Veterans Benefits Administration that is permanent and total.

50 Section 2. Section **71-15-102** is enacted to read:

51 **71-15-102. Tuition and fee assistance for dependent of disabled veteran.**

52 (1) (a) A dependent of a qualifying disabled veteran may be eligible for financial
53 assistance if:

54 (i) the state institution of higher education has accepted the dependent in accordance
55 with the state institution of higher education's admissions guidelines;

56 (ii) the dependent is a resident student determined in accordance with Section

57 [53B-8-102](#);

58 (iii) the dependent has not completed a course of study leading to an undergraduate
59 degree; and

60 (iv) the dependent is in financial need of the assistance.

61 (b) For purposes of Subsection (1)(a)(iii), the dependent may not be excluded from
62 eligibility for financial assistance if the dependent has previously taken courses at or has been
63 awarded credit by a state institution of higher education.

64 (2) To obtain financial assistance, the dependent shall apply to the department.

65 (3) (a) A dependent who receives financial assistance may use the financial assistance
66 only for tuition or fees for courses that apply toward the degree or certificate requirements of
67 the program in which the dependent is enrolled.

68 (b) The department shall pay tuition and fees assistance directly to the institution of
69 higher education from the funds appropriated.

70 (4) The department may recoup funds if a recipient of financial assistance fails to meet
71 the degree or certificate requirements of the program.

72 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
73 department, in coordination with the board, shall make rules:

74 (a) governing the application process, including the information that a dependent shall
75 include in the application;

76 (b) establishing the amount or percentage of tuition or fees that a dependent may
77 receive as financial assistance;

78 (c) establishing means-based criteria for determining if an applicant has a financial
79 need for assistance; and

80 (d) prioritizing applications if there are more applicants than there are funds.

81 (6) (a) On or before October 1, the department shall provide an electronic report to:

82 (i) the Education Interim Committee; and

83 (ii) the Veterans and Military Affairs Commission.

84 (b) The report shall include:

85 (i) usage of the financial assistance; and

86 (ii) outstanding needs of the financial assistance program.

87 (7) The department may use no more than 10% of the funds for administration of the

88 financial assistance program.

89 Section 3. **Appropriation.**

90 The following sums of money are appropriated for the fiscal year beginning July 1,
91 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for
92 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
93 Act, the Legislature appropriates the following sums of money from the funds or accounts
94 indicated for the use and support of the government of the state of Utah.

95 ITEM 1

96	<u>To Department of Veterans and Military Affairs -- DMVA Pass Through</u>	
97	<u>From General Fund</u>	<u>100,000</u>
98	<u>Schedule of Programs:</u>	
99	<u>DMVA Pass Through</u>	<u>100,000</u>

100 The Legislature intends that:

101 (1) appropriations under this program be used to fund the financial assistance program
102 created in Section [71-15-102](#); and

103 (2) under Section [63J-1-603](#), appropriations provided under this section not lapse at the
104 close of fiscal year 2024 and the use of any nonlapsing funds is limited to providing financial
105 assistance to dependents of qualifying disabled veterans.

106 Section 4. **Effective date.**

107 This bill takes effect on July 1, 2023.

108 Section 5. **Coordinating H.B. 109 with H.B. 67 -- Technical renumbering.**

109 If this H.B. 109 and H.B. 67, Title 71A - Veterans and Military Affairs, both pass and
110 become law, it is the intent of the Legislature that the Office of Legislative Research and
111 General Counsel, in preparing the Utah Code database for publication on July 1, 2023,
112 technically renumber Sections [71-15-101](#) and [71-15-102](#) in this H.B. 109 into a new chapter,
113 titled Tuition and Fees Assistance, within Title 71A.