

HB0332S01 compared with HB0332

{deleted text} shows text that was in HB0332 but was deleted in HB0332S01.

inserted text shows text that was not in HB0332 but was inserted into HB0332S01.

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Representative Ryan D. Wilcox proposes the following substitute bill:

FALLEN OFFICER MEMORIAL SCHOLARSHIP PROGRAM

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tyler ~~{}~~Clancy

Senate Sponsor: Curtis S. Bramble

Cosponsors:

<u>Katy Hall</u>	<u>Candice B. Pierucci</u>
<u>Nelson T. Abbott</u>	<u>Judy Weeks Rohner</u>
<u>Carl R. Albrecht</u>	<u>Mike Schultz</u>
<u>Melissa G. Ballard</u>	<u>Casey Snider</u>
<u>Stewart E. Barlow</u>	<u>Andrew Stoddard</u>
<u>Bridger Bolinder</u>	<u>R. Neil Walter</u>
<u>Walt Brooks</u>	<u>Douglas R. Welton</u>
<u>Joseph Elison</u>	<u>Ryan D. Wilcox</u>
<u>Matthew H. Gwynn</u>	<u>Thomas W. Peterson</u>

LONG TITLE

General Description:

This bill creates the Fallen Officer Memorial Scholarship Program to be administered

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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 program.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

53-17a-101, Utah Code Annotated 1953

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

Section 1. Section **53-17a-101** is enacted to read:

CHAPTER 17a. FALLEN OFFICER MEMORIAL SCHOLARSHIP PROGRAM

53-17a-101. Fallen Officer Memorial Scholarship Program -- Rulemaking.

(1) As used in this section:

(a) "Child" means an individual who:

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

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

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

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

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

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

(i) is employed as:

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

(B) a correctional officer in accordance with Section 53-13-104; or

(C) a special function officer in accordance with Section 53-13-105; and

(ii) in the course of the individual's employment, put the individual's life or personal safety at risk.

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

(3) Subject to legislative appropriations and Subsection (6), the department shall provide ~~1~~\$5,000 per year for up to four years to an applicant who:

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

(b) is 17 years old or older;

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

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

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

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

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

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

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

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

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

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section is insufficient to cover the costs associated with the Fallen Officer Memorial Scholarship Program, the department may:

- (i) reduce the amount of funds distributed to an applicant; or
- (ii) distribute funds on a pro rata basis to all eligible applicants who submitted a complete application before the application deadline. ~~††~~

Section 2. **Effective date.**

This bill takes effect on July 1, 2023.