

Representative Jefferson S. Burton proposes the following substitute bill:

PUBLIC SAFETY OFFICER SCHOLARSHIP PROGRAM

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Don L. Ipson

House Sponsor: Jefferson S. Burton

LONG TITLE

General Description:

This bill enacts a public safety officer scholarship program for high school students entering into a law enforcement career.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates a public safety officer scholarship program for high school graduates who:
 - enroll in a law enforcement agency cadet program;
 - seek a degree in a post-secondary program; and
 - after Peace Officer Standards and Training (POST) certification, commit to a peace officer career of a certain duration;
- ▶ establishes application and work requirement processes;
- ▶ allows for the Utah Board of Higher Education (board) to determine qualifying programs;
- ▶ requires a scholarship recipient to report certification and employment statuses to the board;
- ▶ requires the POST Division to report employment status changes to the board;
- ▶ provides for repayment of scholarship funds in the case of a failure to meet program



- 26 requirements;
- 27 ▶ allows the board to use up to a certain percentage of appropriated funds for
- 28 administering the program;
- 29 ▶ grants the board rulemaking authority;
- 30 ▶ amends board requirements to create a pathway plan for high school students
- 31 interested in law enforcement; and
- 32 ▶ makes technical and conforming changes.

33 **Money Appropriated in this Bill:**

- 34 This bill appropriates in fiscal year 2024:
- 35 ▶ to Utah Board of Higher Education -- Student Assistance, as a one-time
- 36 appropriation:
- 37 • from Income Tax Fund, One-time \$5,000,000.

38 **Other Special Clauses:**

39 None

40 **Utah Code Sections Affected:**

41 AMENDS:

- 42 **53-6-209**, as last amended by Laws of Utah 2021, Chapter 311
- 43 **53B-8-112**, as last amended by Laws of Utah 2022, Chapters 370, 456
- 44 **53B-10-106**, as enacted by Laws of Utah 2022, Chapter 370

45 ENACTS:

- 46 **53B-8-112.5**, Utah Code Annotated 1953

47

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

49 Section 1. Section **53-6-209** is amended to read:

50 **53-6-209. Termination of employment -- Change of status form.**

51 (1) When a peace officer's employment terminates, the employing agency shall submit
52 a change of status form noting the termination of the peace officer to the division.

53 (2) The change of status form shall:

54 (a) be completed and submitted within 30 days [~~of the peace officer's termination date~~]
55 after the day on which the peace officer's employment terminates;

56 (b) identify the circumstances of the peace officer's status change by indicating that the

57 peace officer has resigned, retired, terminated, transferred, is deceased, or that the peace
58 officer's name has changed;

59 (c) indicate the effective date of action; and

60 (d) indicate the name of the new employer, if the status change is due to a transfer.

61 (3) If a peace officer's employment terminates during an open internal investigation
62 regarding that peace officer and involving an alleged violation of Subsection 53-6-211(1), the
63 employing agency shall:

64 (a) notify the division of the investigation in accordance with Subsection 53-6-211(6)
65 within 30 days [~~of the peace officer's termination date~~] after the day on which the peace
66 officer's employment terminates; and

67 (b) provide a reasonable estimated date of completion for the investigation.

68 (4) (a) If an employing agency receives credible allegations and opens an internal
69 investigation within two years after [~~a peace officer's employment has been terminated~~] the day
70 on which a peace officer's employment terminates, the employing agency shall:

71 (i) notify the division within 30 days [~~of the date of the opening of the~~] after the day on
72 which the employing agency opens the investigation; and

73 (ii) provide a reasonable estimated date of completion for the investigation.

74 (b) If the allegations described in Subsection (4)(a) involve alleged violations of
75 Subsection 53-6-211(1), the agency shall report the allegations to the division in accordance
76 with Subsection 53-6-211(6), regardless of whether [~~or not~~] the employing agency opens an
77 internal investigation.

78 (5) (a) Any person or agency who intentionally falsifies, misrepresents, or fails to give
79 notice of the change of status of a peace officer is liable to the division for any damages that
80 [~~may be sustained by~~] the failure to make the notification[~~:-~~] causes.

81 (b) The division shall provide the change of status form described in this section to the
82 Utah Board of Higher Education within 30 days after the day on which the division receives a
83 notice of termination if the relevant peace officer has received a Karen Mayne Public Safety
84 Officer Scholarship as described in Section 53B-8-112.5.

85 Section 2. Section 53B-8-112 is amended to read:

86 **53B-8-112. Public Safety Officer Career Advancement Grant Program.**

87 (1) [~~The~~] This section creates the Public Safety Officer Career Advancement Grant

88 Program [~~is created~~].

89 (2) Subject to legislative appropriations and Subsection [~~(6)~~] (7), the board shall award
90 a grant to an applicant who:

91 (a) is a certified peace officer, currently employed by a law enforcement agency within
92 the state; and

93 (b) is seeking a post-secondary degree in the area of criminal justice from a
94 [~~credit-granting higher education institution~~] degree-granting institution of higher education
95 within the state system of higher education, described in Section 53B-1-102.

96 (3) (a) Subject to Subsection (3)(b), the board may award a qualified applicant up to
97 the cost of tuition and fees.

98 (b) A grant award under Subsection (3)(a) is limited to:

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

100 (ii) a maximum of four academic years.

101 (4) The board shall design the program to [~~use a packaging approach that ensures~~]
102 ensure that institutions combine loans, grants, employment, and family and individual
103 contributions toward financing the cost of attendance.

104 (5) Notwithstanding Subsection (4), the board may not award a scholarship described
105 in Section 53B-8-112.5 to an applicant receiving a grant under this section.

106 [~~(5)~~] (6) (a) The board shall make rules in accordance with Title 63G, Chapter 3, Utah
107 Administrative Rulemaking Act, to:

108 (i) set deadlines for receiving grant applications and supporting documentation; and

109 (ii) establish the application process and an appeal process for the Public Safety Officer
110 Career Advancement Grant Program.

111 (b) The board shall include a disclosure on all applications and related materials that
112 the amount of the awarded grants may be subject to funding or be reduced, in accordance with
113 Subsection [~~(6)~~] (7).

114 [~~(6)~~] (7) (a) Subject to future budget constraints, the Legislature shall make an annual
115 appropriation from the Income Tax Fund to the board for the costs associated with the Public
116 Safety Officer Career Advancement Grant Program authorized under this section.

117 (b) Notwithstanding the provisions of this section, if the appropriation under this
118 section is insufficient to cover the costs associated with the Public Safety Officer Career

119 Advancement Grant Program, the board may:

120 (i) reduce the amount of a grant; or

121 (ii) distribute grants on a pro rata basis to all eligible applicants who submitted a
122 complete application before the application deadline.

123 (8) Notwithstanding Subsection 53B-8-112.5(5), the board may not award a grant
124 under this section to an applicant receiving a scholarship under the Karen Mayne Public Safety
125 Officer Scholarship Program described in Section 53B-8-112.5.

126 Section 3. Section 53B-8-112.5 is enacted to read:

127 **53B-8-112.5. Karen Mayne Public Safety Officer Scholarship Program.**

128 (1) As used in this section:

129 (a) "Peace officer" means the same as that term is defined in Section 53B-8c-102.

130 (b) "POST" means the Peace Officer Standards and Training Division created in
131 Section 53-6-103.

132 (c) "Program" means the Karen Mayne Public Safety Officer Scholarship Program that
133 this section creates.

134 (2) This section creates the Karen Mayne Public Safety Officer Scholarship Program.

135 (3) (a) Subject to legislative appropriations, the board shall award a scholarship to a
136 qualified applicant who:

137 (i) is a high school graduate;

138 (ii) submits an application to the board with a copy of the student's high school
139 diploma;

140 (iii) when eligible, enrolls in a basic training course at a state certified academy as
141 defined in Section 53-6-202;

142 (iv) subject to Subsection (3)(b), is enrolled in a qualifying post-secondary program
143 from:

144 (A) an institution of higher education within the state system of higher education,
145 described in Section 53B-1-102; or

146 (B) a private, nonprofit institution of higher education in the state that is accredited by
147 the Northwest Commission on Colleges and Universities; and

148 (v) commits to working as a peace officer for no less than five years after the day on
149 which POST certifies the scholarship recipient.

150 (b) For purposes of Subsection (3)(a)(iv), the board shall determine the programs that
 151 qualify for a scholarship award, including criminal justice, police administration, criminology,
 152 social sciences, and other disciplines.

153 (4) (a) The board shall determine the amount of a scholarship award, ensuring that the
 154 amount does not exceed the combined cost of tuition, fees, and required textbooks.

155 (b) A scholarship award described in Subsection (4)(a) is limited to:

156 (i) POST training and certification in accordance with Title 53, Chapter 6, Peace
 157 Officer Standards and Training Act; and

158 (ii) a maximum of four academic years in a post-secondary program.

159 (5) The board shall design the scholarship program to ensure that participating
 160 institutions combine state or federal loans or grants, internships, student employment, and
 161 family and individual contributions toward financing the cost of attendance.

162 (6) A scholarship recipient shall:

163 (a) notify the board of the scholarship recipient's POST certification within 15 days
 164 after the day on which POST certifies the scholarship recipient;

165 (b) submit verification of the scholarship recipient's employment to the board within 15
 166 days after the day on which the scholarship recipient is employed as a peace officer, including:

167 (i) the employer's name, address, and telephone number;

168 (ii) the date of the scholarship recipient's hiring; and

169 (iii) the scholarship recipient's job title; and

170 (c) notify the board within 15 days after the day on which the employer terminates the
 171 scholarship recipient.

172 (7) ~~Ĥ~~→ (a) ←Ĥ The board may require a scholarship recipient to repay the full amount of
 172a the

173 scholarship award that the scholarship recipient received under the program, including money
 174 paid for tuition, fees, and required textbooks, if the scholarship recipient fails to:

175 ~~Ĥ~~→ [(a)] (i) ←Ĥ meet the requirements for POST certification as described in Title 53,
 175a Chapter 6,

176 Part 2, Peace Officer Training and Certification Act;

177 ~~Ĥ~~→ [(b)] (ii) ←Ĥ work as a peace officer for five years after the day on which POST
 177a certifies the

178 scholarship recipient; or

179 ~~Ĥ~~→ [(c)] (iii) ←Ĥ subject to Subsection (3), earn a degree in a post-secondary program.

179a ~~Ĥ~~→ (b) **Notwithstanding Subsection (7)(a), a scholarship recipient is not required to repay**

- 179b **any amount of the scholarship award if the scholarship recipient:**
- 179c **(i) is unable to secure employment as a peace officer within 12 months after the day on which**
- 179d **the scholarship recipient is POST certified; and**
- 179e **(ii) provides documentation from a prospective employer that the scholarship recipient was not**
- 179f **extended an offer of employment.** ←H
- 180 **(8) The board may use up to 2% of the money appropriated for the scholarship program**

181 for administrative costs.

182 (9) (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
183 Administrative Rulemaking Act, to:

184 (i) set deadlines for receiving scholarship applications and supporting documentation;

185 (ii) establish an application process and appeal process for the program;

186 (iii) establish policies and procedures for cancellation or repayment of scholarship
187 awards if the scholarship recipient fails to meet the requirements under this section;

188 (iv) collaborate with POST and other law enforcement and correction agencies to
189 provide high school students information on law enforcement careers; and

190 (v) notify POST when a student receives a scholarship under the program.

191 (b) The board shall include a disclosure on all applications and materials related to the
192 program that the amount of the awarded scholarship may be subject to funding availability or
193 reduction in accordance with Subsection (10).

194 (10) If an appropriation under this section is insufficient to cover the costs associated
195 with the program, the board may:

196 (a) reduce the amount of a scholarship award; and

197 (b) distribute scholarship awards on a pro rata basis to all eligible applicants who
198 submitted a complete application before the application deadline.

199 Section 4. Section **53B-10-106** is amended to read:

200 **53B-10-106. Pathways development.**

201 (1) The board shall develop and implement a plan that creates clear educational
202 pathways:

203 (a) from a technical college described in Subsection **53B-1-102**(1)(b) to ~~[an]~~ a
204 degree-granting institution; ~~[and]~~

205 (b) in course work leading to a qualifying ~~[degree]~~ job or a qualifying ~~[job]~~ degree as
206 described in Section **53B-10-203**~~[-];~~ and

207 (c) for high schools that offer criminal justice or protective services pathways
208 programs, including information on:

209 (i) available concurrent enrollment classes in subjects described in Section
210 **53B-8-112.5**; and

211 (ii) scholarship opportunities for careers as peace officers as defined in Section

212 [53B-8c-102.](#)

213 (2) The plan shall maximize efficiencies in transferring [~~eared~~] earned credit and help
214 align academic programs with workforce needs.

215 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
216 board may make rules necessary to establish a plan described in this section.

217 Section 5. **Appropriation.**

218 The following sums of money are appropriated for the fiscal year beginning July 1,
219 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for
220 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
221 Act, the Legislature appropriates the following sums of money from the funds or accounts
222 indicated for the use and support of the government of the state of Utah.

223 ITEM 1

224 To Utah Board of Higher Education – Student Assistance

225 From Income Tax Fund, One-time 5,000,000

226 Schedule of Programs:

227 Karen Mayne Public Safety Officer Scholarship Program 5,000,000

228 Under Section [63J-1-603](#), the Legislature intends that appropriations provided in this
229 section not lapse at the end of fiscal year 2024. The use of any nonlapsing funds is limited to
230 the Karen Mayne Public Safety Officer Scholarship Program.