

SB0128S05 compared with SB0128S04

~~{deleted text}~~ shows text that was in SB0128S04 but was deleted in SB0128S05.

inserted text shows text that was not in SB0128S04 but was inserted into SB0128S05.

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~~{Senator Don L. Ipson}~~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 ~~{in higher education}~~; and
 - after Peace Officer Standards and Training (POST) certification, commit to a peace officer career of a certain duration;

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- ▶ establishes application and work requirement processes;
- ▶ allows for the Utah Board of Higher Education (board) to determine qualifying ~~{degrees in the program}~~ 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 requirements;
- ▶ allows the board to use up to a certain percentage of appropriated funds for administering the ~~{scholarship}~~ program;
- ▶ grants the board rulemaking authority;
- ▶ amends board requirements to create a pathway plan for high school students interested in law enforcement; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2024:

- ▶ to Utah Board of Higher Education -- Student Assistance, as a one-time appropriation:
 - from Income Tax Fund, One-time \$5,000,000.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-6-209, as last amended by Laws of Utah 2021, Chapter 311

53B-8-112, as last amended by Laws of Utah 2022, Chapters 370, 456

53B-10-106, as enacted by Laws of Utah 2022, Chapter 370

ENACTS:

53B-8-112.5, Utah Code Annotated 1953

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

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

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

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

(2) The change of status form shall:

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

(b) identify the circumstances of the peace officer's status change by indicating that the peace officer has resigned, retired, terminated, transferred, is deceased, or that the peace officer's name has changed;

(c) indicate the effective date of action; and

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

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

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

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

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

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

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

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

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

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

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

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

(1) ~~[The]~~ This section creates the Public Safety Officer Career Advancement Grant Program ~~[is created]~~.

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

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

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

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

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

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

(ii) a maximum of four academic years.

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

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

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

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

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

(b) The board shall include a disclosure on all applications and related materials that

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the amount of the awarded grants may be subject to funding or be reduced, in accordance with Subsection ~~[(6):]~~ (7).

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

(b) Notwithstanding the provisions of this section, if the appropriation under this section is insufficient to cover the costs associated with the Public Safety Officer Career Advancement Grant Program, the board may:

(i) reduce the amount of a grant; or

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

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

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

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

(1) As used in this section:

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

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

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

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

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

(i) is a high school graduate;

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

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

(iv) [subject to Subsection \(3\)\(b\)](#), is enrolled in a qualifying post-secondary ~~degree~~

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~~program from a degree-granting~~:

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

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

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

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

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

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

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

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

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

(6) A scholarship recipient shall:

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

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

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

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

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

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

(7) The board may require a scholarship recipient to repay the full amount of the scholarship award that the scholarship recipient received under the program, including money

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paid for tuition, fees, and required textbooks, if the scholarship recipient fails to:

(a) meet the requirements for POST certification as described in Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act;

(b) work as a peace officer for five years after the day on which POST certifies the scholarship recipient; or

(c) subject to Subsection (3), earn a degree in a post-secondary ~~degree~~ program.

(8) The board may use up to 2% of the money appropriated for the scholarship program for administrative costs.

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

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

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

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

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

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

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

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

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

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

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

53B-10-106. Pathways development.

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

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

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

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

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

(ii) scholarship opportunities for careers as peace officers as defined in Section 53B-8c-102.

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

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

Section 5. **Appropriation.**

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

ITEM 1

To Utah Board of Higher Education – Student Assistance

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

Schedule of Programs:

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

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