

SENATE BILL No. 1246

May 18, 2004, Introduced by Senators BROWN, BARCIA, CROPSEY, GEORGE, VAN WOERKOM, BIRKHOLZ, BRATER, CLARKE and BISHOP and referred to the Committee on Appropriations.

A bill to establish an undergraduate tuition waiver program for children of certain deceased or disabled members of the armed forces of the United States; to provide for the administration of the tuition waiver program; to prescribe certain powers and duties of certain state officers, agencies, and departments; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "children of veterans tuition act".

3 Sec. 2. As used in this act:

4 (a) "Academic year" means the period from August 1 of a
5 calendar year to July 31 of the next calendar year.

6 (b) "Authority" means the Michigan higher education
7 assistance authority created by 1960 PA 77, MCL 390.951 to
8 390.961.

1 (c) "Eligible institution" means a degree or certificate
2 granting public or independent nonprofit college or university,
3 junior college, or community college in this state.

4 (d) "Eligible tuition" means the tuition charged by an
5 eligible institution for an undergraduate class.

6 (e) Full-time" means enrolled in at least 12 credit hours in
7 an academic semester or its equivalent number of credit hours in
8 a term or quarter, as determined by the authority.

9 (f) "Michigan veteran" means an individual whose legal
10 residence immediately before entering military service was in
11 this state and who does not later reside outside of this state
12 for a period of more than 2 years, or an individual who
13 establishes legal residency in this state after entering military
14 service.

15 (g) "Undergraduate class" means a class or course that
16 provides a student with academic credit applicable toward a
17 bachelor or associate degree from an eligible institution.

18 Sec. 3. The children of veterans tuition waiver program is
19 created, to be administered by the authority. The authority
20 shall do all of the following:

21 (a) Provide tuition waivers at eligible institutions for
22 eligible students under this act.

23 (b) Develop a tuition waiver agreement to be entered into by
24 a tuition waiver recipient and the eligible institution that
25 contains the terms of a tuition waiver made under this act and
26 the rights and obligations of the recipient and the eligible
27 institution.

1 (c) Within 120 days after the effective date of this act,
2 notify recipients of benefits under 1935 PA 245, MCL 35.111 to
3 35.112, of the repeal of that act and the availability of tuition
4 waivers under this act.

5 (d) Promulgate rules to implement and administer this act
6 under the administrative procedures act of 1969, 1969 PA 306, MCL
7 24.201 to 24.328. The rules may include additional standards of
8 eligibility for students to receive tuition waivers under this
9 act.

10 Sec. 4. (1) Beginning in the 2004-2005 academic year, an
11 eligible institution that agrees to participate in the tuition
12 waiver program established by this act shall waive tuition in an
13 amount determined under subsection (2) for any student who meets
14 all of the following requirements:

15 (a) Is enrolled in that academic year as a full-time student
16 in undergraduate classes at an eligible institution.

17 (b) Is a United States citizen or permanent resident of the
18 United States.

19 (c) Is more than 16 and less than 26 years of age.

20 (d) Is the natural or adopted child of a Michigan veteran
21 and the Michigan veteran meets or met any of the following:

22 (i) He or she was killed in action or died from another
23 cause while serving in a war or war condition in which the United
24 States was or is a participant.

25 (ii) The United States department of veterans affairs has
26 determined that he or she died or is totally and permanently
27 disabled as a result of a service-connected illness or injury.

1 (iii) The United States department of veterans affairs has
2 determined he or she was permanently and totally disabled as a
3 result of a service-connected illness or injury before death, and
4 he or she died from any cause.

5 (iv) He or she is officially listed by the United States
6 government as missing in action in a foreign country.

7 (e) Has resided continuously in this state for the 12 months
8 immediately preceding the date of his or her application and is
9 not a resident of any other state.

10 (f) Has maintained a cumulative grade point average of at
11 least 2.25 in any undergraduate classes he or she completed at
12 any eligible institution in any previous academic years.

13 (g) Has signed a written tuition waiver agreement with the
14 eligible institution.

15 (h) Is in compliance with this act and the rules promulgated
16 under this act.

17 (i) Has not been convicted of a felony involving an assault,
18 physical injury, or death.

19 (j) Meets any other standards established in rules
20 promulgated by the authority under section 3.

21 (2) Except as provided in subsection (3), the amount of a
22 tuition waiver described in subsection (1) in an academic year is
23 \$2,800.00, or an amount equal to all of the student's eligible
24 tuition in that academic year, whichever is less.

25 (3) If a student is receiving tuition waiver assistance in
26 the 2003-2004 academic year under the tuition waiver program
27 provided in 1935 PA 245, MCL 35.111 to 35.112, is a person

1 described in section 1(1) of 1935 PA 245, MCL 35.111, and meets
2 the eligibility requirements of this act, the amount of the
3 tuition waiver for that student in the 2004-2005 academic year is
4 an amount equal to the student's eligible tuition in that
5 academic year.

6 (4) An individual shall not receive tuition waiver
7 assistance under this act, or under this act and the tuition
8 waiver program provided in 1935 PA 245, MCL 35.111 to 35.112, in
9 more than 4 academic years.

10 Sec. 5. (1) Beginning in the 2004-2005 academic year,
11 within 60 days after the end of an academic year an eligible
12 institution shall apply to the authority for reimbursement of
13 tuition waived under this act in that academic year. The
14 application shall include the total number of students whose
15 tuition was waived; the total amount of reimbursement requested
16 by the eligible institution; and an itemization of the waivers
17 that includes the name of each student receiving a tuition
18 waiver, the amount of that waiver, the student's grade point
19 average for the academic year, the student's cumulative grade
20 point average, the student's transcript for the academic year,
21 and a certification that the student meets the eligibility
22 requirements for tuition reimbursement under this act in the
23 amount requested by the eligible institution.

24 (2) The authority shall verify the amount of reimbursement
25 to which an eligible institution is required and report that
26 information to the house and senate appropriation subcommittees
27 on higher education and community colleges.

1 (3) The legislature shall appropriate money for
2 reimbursement to the eligible institution if the institution
3 receives annual appropriations from this state or to the
4 authority for distribution to the eligible institution if the
5 institution does not receive annual appropriations from this
6 state. Money appropriated under this subsection shall be used
7 only for tuition waivers under this act.

8 Enacting section 1. 1935 PA 245, MCL 35.111 to 35.112, is
9 repealed effective July 31, 2004.