

HOUSE BILL No. 5578

January 24, 2006, Introduced by Reps. Angerer, Gleason, Mayes, Wojno, Espinoza, Leland, Farrah, Donigan, Tobocman, Plakas, Kathleen Law, Spade and Lemmons, III and referred to the Committee on Appropriations.

A bill to establish an undergraduate tuition waiver program for certain dependents of the reserve components of the United States armed forces called to federal active duty; to provide for the administration of the tuition waiver program; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "guard
2 and reserve dependents' tuition waiver 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 assistance

1 authority created by 1960 PA 77, MCL 390.951 to 390.961.

2 (c) "Eligible dependent" means a spouse or natural or adopted
3 child of a qualified individual.

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

6 (e) "Institution of higher education" means a degree- or
7 certificate-granting public or independent nonprofit college or
8 university, junior college, or community college in this state.

9 (f) "Qualified individual" means an individual who is a
10 resident of this state, who is not a current member of the United
11 State armed forces or a full-time member of a reserve component of
12 the United States armed forces, who is a member of any reserve
13 component of the United States armed forces, and who is called to
14 federal active duty and serves on active duty for at least 90
15 consecutive days.

16 (g) "Reserve component of the United States armed forces"
17 means any of the following:

18 (i) The army national guard of the United States.

19 (ii) The army, naval, marine corps, air force, and coast guard
20 reserves.

21 (iii) The air national guard of the United States.

22 (h) "Undergraduate classes" means classes or courses that
23 provide a student with academic credit applicable toward a
24 bachelor's or associate's degree from an institution of higher
25 education.

26 Sec. 3. The guard and reserve dependents' tuition waiver
27 program is created, to be administered by the authority. The

1 authority shall do all of the following:

2 (a) Provide tuition waivers at institutions of higher
3 education for eligible dependents under this act.

4 (b) Develop a tuition waiver agreement to be entered into by a
5 tuition waiver recipient and the institution of higher education
6 that contains the terms of a tuition waiver made under this act and
7 the rights and obligations of the recipient and the institution of
8 higher education.

9 (c) Promulgate rules to implement and administer this act
10 under the administrative procedures act of 1969, 1969 PA 306, MCL
11 24.201 to 24.328.

12 Sec. 4. (1) Beginning in the 2006-2007 academic year, an
13 institution of higher education that agrees to participate in the
14 tuition waiver program established by this act shall waive tuition
15 in an amount determined under subsection (2) for any eligible
16 dependent who meets all of the following requirements:

17 (a) Is enrolled in that academic year as a student in 1 or
18 more undergraduate classes at an institution of higher education.

19 (b) Is a United States citizen or permanent resident of the
20 United States.

21 (c) Is less than 60 years of age.

22 (d) Has resided continuously in this state for the 6 months
23 immediately preceding the date of his or her application and is not
24 a resident of any other state.

25 (e) Has signed a written tuition waiver agreement with the
26 institution of higher education.

27 (f) Is in compliance with this act and the rules promulgated

1 under this act.

2 (g) Has not been convicted of a felony involving an assault,
3 physical injury, or death.

4 (h) Meets any other standards established in rules promulgated
5 by the authority under section 3.

6 (2) The amount of a tuition waiver described in subsection (1)
7 in an academic year is \$2,500.00 or an amount equal to all of the
8 eligible dependent's eligible tuition in that academic year,
9 whichever is less.

10 (3) All of the following apply to an eligible dependent:

11 (a) He or she shall only receive tuition assistance in
12 semesters, quarters, or terms that begin after his or her spouse or
13 parent becomes a qualified individual.

14 (b) He or she shall not receive tuition assistance in any
15 semester, quarter, or term that begins after the qualified
16 individual returns from active duty.

17 (c) He or she shall not receive tuition waiver assistance
18 under this act in more than 4 academic years.

19 Sec. 5. (1) Beginning in the 2006-2007 academic year, within
20 60 days after the end of an academic year, an institution of higher
21 education shall apply to the authority for reimbursement of tuition
22 waived under this act in that academic year. The application shall
23 include the total number of eligible dependents whose tuition was
24 waived; the total amount of reimbursement requested by the
25 institution of higher education; and an itemization of the waivers
26 that includes the name of each eligible dependent receiving a
27 tuition waiver, the amount of that waiver, and a certification that

1 the eligible dependent meets the eligibility requirements for
2 tuition reimbursement under this act in the amount requested by the
3 institution of higher education.

4 (2) The authority shall verify the amount of reimbursement to
5 which an institution of higher education is entitled and report
6 that information to the house and senate appropriation
7 subcommittees on higher education and community colleges.

8 (3) The legislature shall appropriate money for reimbursement
9 to the institution of higher education if the institution receives
10 annual appropriations from this state or to the authority for
11 distribution to the institution of higher education if the
12 institution does not receive annual appropriations from this state.
13 Money appropriated under this subsection shall be used only for
14 tuition waivers under this act.