# CHILDREN OF VETERANS TUITION GRANT ACT

## Act 248 of 2005

AN ACT to establish an undergraduate tuition grant 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 grant program; to prescribe certain powers and duties of certain state officers, agencies, and departments; and to repeal acts and parts of acts.

**History:** 2005, Act 248, Imd. Eff. Dec. 1, 2005

The People of the State of Michigan enact:

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### 390.1341 Short title.

Sec. 1.

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

**History:** 2005, Act 248, Imd. Eff. Dec. 1, 2005
**Compiler's Notes:** For transfer of powers and duties of Michigan higher education assistance authority to department of treasury, see E.R.O. No. 2010-2, compiled at MCL 12.194.

### 390.1342 Definitions.

Sec. 2.

As used in this act:

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

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

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

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

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

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

(g) "Part-time student" means a student who is not a full-time student, but is enrolled in at least the number of credit hours in a semester, term, or quarter that the authority defines as a 1/2-time course of study.

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

**History:** 2005, Act 248, Imd. Eff. Dec. 1, 2005
**Compiler's Notes:** For transfer of powers and duties of Michigan higher education assistance authority to

department of treasury, see E.R.O. No. 2010-2, compiled at MCL 12.194.For the transfer of the powers and duties for the administration of certain scholarship and grant programs from the office of postsecondary financial planning within the department of treasury to the director of MiLEAP, see E.R.O. No. 2023-2, compiled at MCL 388.1283.

### 390.1343 Children of veterans tuition grant program; creation; administration; duties of authority.

Sec. 3.

The children of veterans tuition grant program is created, to be administered by the authority. The authority shall do all of the following:

(a) Provide tuition grants to eligible students under this act.

(b) Establish an application form and application timetable for eligible students to apply for tuition grants under this act.

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

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

**History:** 2005, Act 248, Imd. Eff. Dec. 1, 2005

**Compiler's Notes:** For transfer of powers and duties of Michigan higher education assistance authority to department of treasury, see E.R.O. No. 2010-2, compiled at MCL 12.194.For the transfer of the powers and duties for the administration of certain scholarship and grant programs from the office of postsecondary financial planning within the department of treasury to the director of MiLEAP, see E.R.O. No. 2023-2, compiled at MCL 388.1283.

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### 390.1344 Tuition grant amount.

Sec. 4.

(1) Subject to subsection (3), beginning in the 2005-2006 academic year, the authority shall provide a tuition grant in an amount determined under subsection (2) to any student who meets all of the following requirements:

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

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

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

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

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

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

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

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

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

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

(g) Is in compliance with this act and the rules promulgated under this act.

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

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

(2) Subject to subsection (3), the amount of a tuition grant described in subsection (1) in an academic year for a full-time student is $2,800.00, or an amount equal to all of the student's eligible tuition in that academic year, whichever is less. The amount of the tuition grant for a part-time student is 1/2 of the amount of a full-time student as determined by the authority. The authority may reduce the amount of the tuition grants in any academic year on a pro rata basis to reflect the amount then available for the tuition grant program, but only after providing notice to the legislature under section 6(2).

(3) If a student receives tuition waiver assistance in the 2005-2006 academic year under the tuition waiver program provided in 1935 PA 245, MCL 35.111 to 35.112, is a person described in section 1(3) of 1935 PA 245, MCL 35.111, and meets the eligibility requirements of this act, the amount of the tuition grant under this act for that student in the 2005-2006 academic year shall be reduced by the amount of tuition waiver assistance that student received under 1935 PA 245.

(4) An individual shall not receive tuition grant assistance under this act or tuition waiver assistance under 1935 PA 245, MCL 35.111 to 35.112, or both, in more than 4 academic years.

**History:** 2005, Act 248, Imd. Eff. Dec. 1, 2005
**Compiler's Notes:** For transfer of powers and duties of Michigan higher education assistance authority to department of treasury, see E.R.O. No. 2010-2, compiled at MCL 12.194.

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### 390.1345 Restricted account; establishment and administration by department of treasury; use; carrying over money to next fiscal year.

Sec. 5.

(1) The department of treasury shall establish and administer a restricted account in the general fund for the children of veterans tuition grant program. The department of treasury shall credit to the account money appropriated or received from any source, including, but not limited to, amounts appropriated under section 437 of the income tax act of 1967, 1967 PA 281, MCL 206.437, and earnings on the account. The department of treasury shall use the money in the account only to provide money to the authority for tuition grants under this act.

(2) Money in the account described in subsection (1) at the end of a fiscal year shall not revert to the general fund but shall be carried over in the account to the next fiscal year.

**History:** 2005, Act 248, Imd. Eff. Dec. 1, 2005
**Compiler's Notes:** For transfer of powers and duties of Michigan higher education assistance authority to department of treasury, see E.R.O. No. 2010-2, compiled at MCL 12.194.

### 390.1346 Report.

Sec. 6.

(1) By December 1 of each year, the authority shall annually submit a report to the state budget director, the house and senate appropriations subcommittees on higher education and community colleges, and the house and senate fiscal agencies for the preceding fiscal year on the children of veterans tuition grant program. The report shall include, but is not limited to, the total number of tuition grants paid by the authority in the preceding fiscal year, the total dollar amount of those tuition grants, and the number of students receiving grants and the total amount of those grants at each eligible institution.

(2) In any academic year, if the authority estimates that insufficient money will be available in that academic year from the account established in section 5 to pay a maximum grant under section 4(2) for a full-time student of $2,800.00, the authority shall immediately report to the house and senate appropriations subcommittees on higher education and community colleges, the house and senate fiscal agencies, and the state budget director, regarding the estimated amount of additional money necessary to fund scholarships for all eligible students in that academic year at the maximum grant amounts under section 4(2).

**History:** 2005, Act 248, Imd. Eff. Dec. 1, 2005
**Compiler's Notes:** For transfer of powers and duties of Michigan higher education assistance authority to department of treasury, see E.R.O. No. 2010-2, compiled at MCL 12.194.

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