

HOUSE BILL No. 4001

January 27, 2005, Introduced by Reps. Caul, Brown and Ball and referred to the Committee on Veterans Affairs and Homeland Security.

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 assistance

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

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

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

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

10 (f) "Michigan veteran" means an individual whose legal
11 residence immediately before entering military service was in this
12 state and who does not later reside outside of this state for a
13 period of more than 2 years, or an individual who establishes legal
14 residency in this state after entering military 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 shall
20 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 a
24 tuition waiver recipient and the eligible institution that contains
25 the terms of a tuition waiver made under this act and the rights
26 and obligations of the recipient and the eligible institution.

27 (c) Within 120 days after the effective date of this act,

1 notify recipients of benefits under 1935 PA 245, MCL 35.111 to
2 35.112, of the repeal of that act and the availability of tuition
3 waivers under this act.

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

8 Sec. 4. (1) Beginning in the 2005-2006 academic year, an
9 eligible institution that agrees to participate in the tuition
10 waiver program established by this act shall waive tuition in an
11 amount determined under subsection (2) for any student who meets
12 all of the following requirements:

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

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

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

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

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

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

26 (iii) The United States department of veterans affairs has
27 determined he or she was permanently and totally disabled as a

1 result of a service-connected illness or injury before death, and
2 he or she died from any cause.

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

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

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

11 (g) Has signed a written tuition waiver agreement with the
12 eligible institution.

13 (h) Is in compliance with this act and the rules promulgated
14 under this act.

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

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

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

23 (3) If a student is receiving tuition waiver assistance in the
24 2004-2005 academic year under the tuition waiver program provided
25 in 1935 PA 245, MCL 35.111 to 35.112, is a person described in
26 section 1(3) of 1935 PA 245, MCL 35.111, and meets the eligibility
27 requirements of this act, the amount of the tuition waiver for that

1 student in the 2005-2006 academic year is an amount equal to the
2 student's eligible tuition in that academic year.

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

7 Sec. 5. (1) Beginning in the 2005-2006 academic year, within
8 60 days after the end of an academic year an eligible institution
9 shall apply to the authority for reimbursement of tuition waived
10 under this act in that academic year. The application shall include
11 the total number of students whose tuition was waived; the total
12 amount of reimbursement requested by the eligible institution; and
13 an itemization of the waivers that includes the name of each
14 student receiving a tuition waiver, the amount of that waiver, the
15 student's grade point average for the academic year, the student's
16 cumulative grade point average, the student's transcript for the
17 academic year, and a certification that the student meets the
18 eligibility requirements for tuition reimbursement under this act
19 in the amount requested by the eligible institution.

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

24 (3) The legislature shall appropriate money for reimbursement
25 to the eligible institution if the institution receives annual
26 appropriations from this state or to the authority for distribution
27 to the eligible institution if the institution does not receive

1 annual appropriations from this state. Money appropriated under
2 this subsection shall be used only for tuition waivers under this
3 act.

4 Enacting section 1. 1935 PA 245, MCL 35.111 to 35.112, is
5 repealed effective July 31, 2005.

6 Enacting section 2. This act does not take effect unless
7 Senate Bill No.____ or House Bill No. 4002(request no. 00021'05 a)
8 of the 93rd Legislature is enacted into law.