

**SUBSTITUTE FOR  
HOUSE BILL NO. 5451**

A bill to provide for tuition assistance at certain educational institutions for Michigan national guard members; and to prescribe duties for certain state officials.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. This act shall be known and may be cited as the  
2 "Michigan national guard tuition assistance act".

3       Sec. 2. As used in this act:

4       (a) "Active service" means that term as defined in section 105  
5 of the Michigan military act, 1967 PA 150, MCL 32.505.

6       (b) "Adjutant general" means the adjutant general of this  
7 state.

8       (c) "Eligible educational institution" means a public or  
9 private college, university, vocational school, technical school,  
10 or trade school located in this state.

1 (d) "Eligible person" means a member of the Michigan national  
2 guard who meets all of the following conditions:

3 (i) Is in active service.

4 (ii) Is not absent without leave or under charges described in  
5 the Michigan code of military justice of 1980, 1980 PA 523, MCL  
6 32.1001 to 32.1148.

7 (iii) Maintains a minimum grade point average as determined by  
8 the adjutant general, which grade point average shall apply for  
9 each eligible person.

10 (iv) Any other criteria determined by the adjutant general  
11 consistent with Michigan national guard recruiting and retention  
12 requirements.

13 (e) "Fund" means the Michigan national guard tuition  
14 assistance fund created in section 4.

15 (f) "Tuition" means the cost of a course of study at an  
16 eligible educational institution, including the cost of  
17 instructional fees, laboratory fees, computer fees, and other fees  
18 directly related to that eligible person's specific course of study  
19 at that eligible educational institution. Tuition does not include  
20 the cost of books and study materials.

21 (g) "Tuition assistance program" means the Michigan national  
22 guard tuition assistance program created in section 3.

23 Sec. 3. (1) The Michigan national guard tuition assistance  
24 program is created within the department of military and veterans  
25 affairs.

26 (2) The adjutant general shall administer the tuition  
27 assistance program and prescribe forms and procedures to

1 effectively carry out the tuition assistance program.

2 (3) An eligible person may apply for tuition assistance, not  
3 to exceed \$4,500.00 in any academic year, from the tuition  
4 assistance program before enrolling in an eligible educational  
5 institution. The adjutant general shall approve the application if  
6 the applicant is an eligible person and if there is sufficient  
7 money in the fund to cover the cost of the amount requested on the  
8 application.

9 (4) If an eligible person has enrolled in an eligible  
10 educational institution and has not applied for and received  
11 tuition assistance from the tuition assistance program, the  
12 eligible person may apply for tuition assistance for the full  
13 amount of the tuition paid to the eligible educational institution  
14 not to exceed \$4,500.00 in any academic year. The adjutant general  
15 shall approve the application if the applicant is an eligible  
16 person and if there is sufficient money in the fund to cover the  
17 cost of the amount requested on the application.

18 (5) The tuition assistance program applies to any course of  
19 study that is intended to culminate in vocational or technical  
20 training, a certificate, or the eligible person's first associate  
21 degree, bachelor's degree, or master's degree.

22 (6) The tuition assistance program applies to an eligible  
23 person notwithstanding any other educational incentive or benefit  
24 received by the eligible person under any other educational  
25 assistance program provided by any other law.

26 (7) Upon completion of a course of study, an eligible person  
27 who successfully applied for and received tuition assistance under

1 subsection (3) or (4) shall provide evidence of attendance and  
2 completion of the course of study in a manner prescribed by the  
3 adjutant general.

4 (8) An eligible person who received tuition assistance under  
5 subsection (3) or who received reimbursement for the cost of  
6 tuition under subsection (4) and who did not complete the course of  
7 study for which it was granted shall reimburse the fund the full  
8 amount received in a manner prescribed by the adjutant general.

9 Sec. 4. (1) The Michigan national guard tuition assistance  
10 fund is created within the state treasury.

11 (2) The state treasurer may receive money or other assets from  
12 any source for deposit into the fund. The state treasurer shall  
13 direct the investment of the fund. The state treasurer shall credit  
14 to the fund interest and earnings from the fund.

15 (3) Money in the fund at the close of the fiscal year shall  
16 remain in the fund and shall not lapse to the general fund.

17 (4) The department of military and veterans affairs shall be  
18 the administrator of the fund for auditing purposes.

19 (5) The adjutant general shall expend money from the fund to  
20 provide tuition assistance to an eligible person for the cost of  
21 tuition to an eligible educational institution under section 3(3)  
22 or to reimburse an eligible person for the cost of tuition paid to  
23 an eligible educational institution under section 3(4) for a course  
24 of study completed by the eligible person.