

SENATE BILL NO. 104

February 04, 2021, Introduced by Senators HOLLIER, CHANG, MOSS, SANTANA, WOJNO, ALEXANDER, ANANICH, HERTEL, BULLOCK, POLEHANKI, BAYER, MCBROOM, HORN, ZORN, OUTMAN and SCHMIDT and referred to the Committee on Families, Seniors, and Veterans.

A bill to amend 2014 PA 259, entitled
"Michigan national guard tuition assistance act,"
by amending the title and sections 3 and 4 (MCL 32.433 and 32.434),
section 3 as amended by 2016 PA 531.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to provide for tuition assistance at certain
3 educational institutions for Michigan national guard members **and**
4 **certain other individuals;** and to ~~prescribe~~**provide for the powers**

1 **and duties ~~for-of~~ certain state officials.****governmental officers and**
2 **entities.**

3 Sec. 3. (1) The Michigan National Guard tuition assistance
4 program is created within the department of military and veterans
5 affairs.

6 (2) The adjutant general shall administer the tuition
7 assistance program and prescribe forms and procedures to
8 effectively carry out the tuition assistance program.

9 (3) An eligible person may apply for tuition assistance from
10 the tuition assistance program before enrolling in an eligible
11 educational institution. The adjutant general shall approve the
12 application if the applicant is an eligible person and if there is
13 sufficient money in the fund to cover the amount of tuition
14 assistance determined to be available under this subsection by the
15 adjutant general in that academic year. The adjutant general shall
16 determine the amount of tuition assistance that may be provided
17 under this subsection in any academic year. The amount of tuition
18 assistance determined by the adjutant general under this subsection
19 applies to all eligible persons.

20 (4) If an eligible person has enrolled in an eligible
21 educational institution and has not applied for and received
22 tuition assistance from the tuition assistance program, the
23 eligible person may apply for tuition assistance for tuition paid
24 to the eligible educational institution in that current academic
25 year. The adjutant general shall approve the application if the
26 applicant is an eligible person and if there is sufficient money in
27 the fund to cover the amount of tuition assistance determined to be
28 available under this subsection by the adjutant general in that
29 academic year. The adjutant general shall determine the amount of

1 tuition assistance that may be provided under this subsection in
2 any academic year. The amount of tuition assistance determined by
3 the adjutant general under this subsection applies to all eligible
4 persons.

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

9 (6) The adjutant general may make a tuition assistance
10 distribution under this section to either the eligible person or
11 the eligible education institution, and may determine when the
12 distribution is made.

13 (7) Upon completion of a course of study, an eligible person
14 who successfully applied for tuition assistance under subsection
15 (3) or (4) ~~shall~~**must** provide evidence of attendance and completion
16 of the course of study with a minimum grade point average of 2.0 on
17 a 4.0 scale, as applicable, in that current semester, in a manner
18 prescribed by the adjutant general.

19 (8) If an eligible person who received tuition assistance
20 under subsection (3) or who received reimbursement for the cost of
21 tuition under subsection (4) did not complete the course of study
22 for which it was granted, that eligible person ~~shall~~**must** reimburse
23 the fund in an amount and in a manner prescribed by the adjutant
24 general unless the eligible person was deployed in a state or
25 federal status that resulted in the eligible person's inability to
26 complete the course of study. In that case, the matter ~~shall~~**must**
27 be determined by the adjutant general.

28 (9) **The adjutant general may establish a policy that allows 1**
29 **or more of the following individuals to utilize the eligible**

1 person's tuition assistance established under this act, in a manner
 2 prescribed by the adjutant general and consistent with the
 3 requirements of this act that are applicable to the eligible
 4 person:

5 (a) The spouse of the eligible person.

6 (b) One or more dependents of the eligible person.

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

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

13 (3) The balance of money in the fund ~~shall~~**must** not exceed
 14 \$10,000,000.00. Any balance of money in the fund in excess of
 15 \$10,000,000.00 ~~shall lapse~~**lapses** to the general fund. Money in the
 16 fund at the close of the fiscal year ~~shall remain~~**remains** in the
 17 fund and, except as otherwise provided in this subsection, ~~shall~~
 18 **does** not lapse to the general fund.

19 (4) The department of military and veterans affairs ~~shall be~~
 20 **is** the administrator of the fund for auditing purposes.

21 (5) The adjutant general shall expend money from the fund to
 22 provide tuition assistance to an eligible person, **or other**
 23 **individual described in section 3(9),** for the cost of tuition to an
 24 eligible educational institution under section 3(3) or to reimburse
 25 an eligible person, **or other individual described in section 3(9),**
 26 for the cost of tuition paid to an eligible educational institution
 27 under section 3(4) for a course of study completed by the eligible
 28 person, **or other individual described in section 3(9).**