

1 **HIGHER EDUCATION FINANCIAL AID AMENDMENTS**

2 2022 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Val L. Peterson**

5 Senate Sponsor: Ann Millner

6

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to higher education financial aid.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ changes the Public Safety Officer Career Advancement Reimbursement Program to
14 a grant program;
- 15 ▶ addresses the amount of money the Utah Board of Higher Education (board) may
16 use for administrative costs and overhead related to the Opportunity Scholarship
17 Program;
- 18 ▶ repeals or reorganizes the provisions of the Access Utah Promise Scholarship
19 Program;
- 20 ▶ allows the board to establish criteria under which the board may forgive a loan
21 made under the Terrel H. Bell Teaching Incentive Loans program;
- 22 ▶ changes the Talent Development Incentive Loan Program to an award program;
- 23 ▶ removes the state requirement for financial aid applicants to complete the federal
24 form for selective service;
- 25 ▶ directs the board to create educational pathways;
- 26 ▶ changes the Success Stipend Program to the Utah Promise Program and modifies
27 the financial aid available under the program;
- 28 ▶ repeals the Strategic Workforce Investment; and

29 ▶ makes technical changes.

30 **Money Appropriated in this Bill:**

31 This bill appropriates in fiscal year 2023:

32 ▶ to the Utah Board of Higher Education - Administration - Administration as an
33 ongoing appropriation:

34 • from the Education Fund, \$718,000.

35 **Other Special Clauses:**

36 None

37 **Utah Code Sections Affected:**

38 AMENDS:

39 **53B-1-301**, as last amended by Laws of Utah 2021, Chapters 282, 351, 402, and 425

40 **53B-8-105**, as last amended by Laws of Utah 2021, Chapter 402

41 **53B-8-112**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13

42 **53B-8-201**, as last amended by Laws of Utah 2021, Chapter 402

43 **53B-10-101**, as last amended by Laws of Utah 2019, Chapter 129

44 **53B-10-201**, as last amended by Laws of Utah 2021, Chapter 282

45 **53B-10-202**, as enacted by Laws of Utah 2018, Chapter 402

46 **53B-10-205**, as enacted by Laws of Utah 2018, Chapter 402

47 **53B-13a-102**, as last amended by Laws of Utah 2011, Chapter 11

48 **53B-13a-103**, as last amended by Laws of Utah 2011, Chapter 11

49 **63G-12-402**, as last amended by Laws of Utah 2021, Chapter 402

50 **63I-2-253**, as last amended by Laws of Utah 2021, First Special Session, Chapter 14

51 **64-13e-102**, as last amended by Laws of Utah 2021, Chapter 260

52 ENACTS:

53 **53b-10-106**, Utah Code Annotated 1953

54 REPEALS AND REENACTS:

55 **53B-13a-104**, as last amended by Laws of Utah 2020, Chapter 196

56 RENUMBERS AND AMENDS:

57 **53B-13a-106**, (Renumbered from 53B-8-304, as last amended by Laws of Utah 2021,
58 Chapter 282)

59 REPEALS:

60 **53B-8-301**, as last amended by Laws of Utah 2020, Chapter 365

61 **53B-8-302**, as enacted by Laws of Utah 2019, Chapter 444

62 **53B-8-303**, as last amended by Laws of Utah 2020, Chapters 63 and 365

63 **53B-10-204**, as enacted by Laws of Utah 2018, Chapter 402

64 **53B-11-104**, as last amended by Laws of Utah 2020, Chapter 365

65 **53B-13a-101**, as last amended by Laws of Utah 2011, Chapter 11

66 **53B-13a-105**, as last amended by Laws of Utah 2004, Chapter 10

67 **53B-26-101**, as enacted by Laws of Utah 2016, Chapter 338

68 **53B-26-102**, as last amended by Laws of Utah 2021, Chapters 187, 282 and last
69 amended by Coordination Clause, Laws of Utah 2021, Chapter 187

70 **53B-26-103**, as last amended by Laws of Utah 2021, Chapter 282



72 *Be it enacted by the Legislature of the state of Utah:*

73 Section 1. Section **53B-1-301** is amended to read:

74 **53B-1-301. Reports to and actions of the Higher Education Appropriations**
75 **Subcommittee.**

76 (1) In accordance with applicable provisions and Section **68-3-14**, the following
77 recurring reports are due to the Higher Education Appropriations Subcommittee:

78 (a) the reports described in Sections **34A-2-202.5**, **53B-30-206**, and **59-9-102.5** by the
79 Rocky Mountain Center for Occupational and Environmental Health;

80 (b) the report described in Section **53B-7-101** by the board on recommended
81 appropriations for higher education institutions, including the report described in Section
82 **53B-8-104** by the board on the effects of offering nonresident partial tuition scholarships;

83 (c) the report described in Section [53B-7-704](#) by the Department of Workforce
84 Services and the Governor's Office of Economic Opportunity on targeted jobs;

85 (d) the reports described in Section [53B-7-705](#) by the board on performance;

86 (e) the report described in Section [53B-8-201](#) by the board on the Opportunity
87 Scholarship Program;

88 [~~(f) the report described in Section [53B-8-303](#) by the board regarding Access Utah
89 promise scholarships;~~]

90 [~~(g)~~ (f) the report described in Section [53B-8d-104](#) by the Division of Child and
91 Family Services on tuition waivers for wards of the state;

92 [~~(h)~~ (g) the report described in Section [53B-12-107](#) by the Utah Higher Education
93 Assistance Authority;

94 [~~(i)~~ (h) the report described in Section [~~[53B-13a-104](#)~~] [53B-13a-103](#) by the board on
95 the [~~Success Stipend Program~~] Utah Promise Program;

96 [~~(j)~~ (i) the report described in Section [53B-17-201](#) by the University of Utah regarding
97 the Miners' Hospital for Disabled Miners;

98 [~~(k) the report described in Section [53B-26-103](#) by the Governor's Office of Economic
99 Opportunity on high-demand technical jobs projected to support economic growth;~~]

100 [~~(l)~~ (j) the report described in Section [53B-26-202](#) by the Medical Education Council
101 on projected demand for nursing professionals; and

102 [~~(m)~~ (k) the report described in Section [53E-10-308](#) by the State Board of Education
103 and board on student participation in the concurrent enrollment program.

104 (2) In accordance with applicable provisions and Section [68-3-14](#), the following
105 occasional reports are due to the Higher Education Appropriations Subcommittee:

106 (a) upon request, the information described in Section [53B-8a-111](#) submitted by the
107 Utah Educational Savings Plan;

108 (b) a proposal described in Section [53B-26-202](#) by an eligible program to respond to
109 projected demand for nursing professionals;

110 (c) a report in 2023 from Utah Valley University and the Utah Fire Prevention Board
111 on the fire and rescue training program described in Section 53B-29-202; and

112 (d) the reports described in Section 63C-19-202 by the Higher Education Strategic
113 Planning Commission on the commission's progress.

114 (3) In accordance with applicable provisions, the Higher Education Appropriations
115 Subcommittee shall complete the following:

116 (a) as required by Section 53B-7-703, the review of performance funding described in
117 Section 53B-7-703;

118 ~~[(b) an appropriation recommendation described in Section 53B-26-103 to fund a
119 proposal responding to workforce needs of a strategic industry cluster;]~~

120 ~~[(c)]~~ (b) an appropriation recommendation described in Section 53B-26-202 to fund a
121 proposal responding to projected demand for nursing professionals; and

122 ~~[(d)]~~ (c) review of the report described in Section 63B-10-301 by the University of
123 Utah on the status of a bond and bond payments specified in Section 63B-10-301.

124 Section 2. Section 53B-8-105 is amended to read:

125 **53B-8-105. New Century scholarships -- High school requirements.**

126 (1) Notwithstanding the provisions of this section, the board may not accept a new
127 application for a scholarship described in this section on or after August 15, 2021.

128 (2) As used in this section:

129 (a) "Complete the requirements for an associate degree" means that a student:

130 (i) (A) completes all the required courses for an associate degree from a higher
131 education institution within the state system of higher education that offers associate degrees;

132 and

133 (B) applies for the associate degree from the institution; or

134 (ii) completes equivalent requirements described in Subsection (2)(a)(i)(A) from a
135 higher education institution within the state system of higher education that offers

136 baccalaureate degrees but does not offer associate degrees.

- 137 (b) "Fee" means a fee approved by the board.
- 138 (3) (a) The board shall award New Century scholarships.
- 139 (b) The board shall develop and approve the math and science curriculum described
- 140 under Subsection (4)(a)(ii).
- 141 (4) (a) In order to qualify for a New Century scholarship, a student in Utah schools
- 142 shall complete the requirements for an:
- 143 (i) associate degree; or
- 144 (ii) approved math and science curriculum.
- 145 (b) The requirements under Subsection (4)(a) shall be completed:
- 146 (i) by the day on which the student's class graduates from high school; and
- 147 (ii) with at least a 3.0 grade point average.
- 148 (c) In addition to the requirements in Subsection (4)(a), a student in Utah shall:
- 149 (i) complete the high school graduation requirements of:
- 150 (A) a public high school established by the State Board of Education and the student's
- 151 school district or charter school; or
- 152 (B) a private high school in the state that is accredited by a regional accrediting body
- 153 approved by the board; and
- 154 (ii) complete high school with at least a 3.5 cumulative high school grade point
- 155 average.
- 156 (5) Notwithstanding Subsection (4), for a student who does not receive a high school
- 157 grade point average, the student shall:
- 158 (a) complete the requirements for an associate degree:
- 159 (i) by June 15 of the year the student completes high school; and
- 160 (ii) with at least a 3.0 grade point average; and
- 161 (b) score a composite ACT score of 26 or higher.
- 162 (6) (a) To be eligible for the scholarship, a student:
- 163 (i) shall submit an application to the board with:

164 (A) an official college transcript showing college courses the student has completed to
165 complete the requirements for an associate degree; and

166 (B) if applicable, an official high school transcript or, if applicable, a copy of the
167 student's ACT scores;

168 (ii) shall be a citizen of the United States or a noncitizen who is eligible to receive
169 federal student aid;

170 (iii) if applicable, shall meet the application deadlines as established by the board under
171 Subsection (11); and

172 (iv) shall demonstrate, in accordance with rules described in Subsection (6)(b), the
173 completion of a Free Application for Federal Student Aid.

174 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
175 board shall make rules regarding the completion of the Free Application for Federal Student
176 Aid described in Subsection (6)(a)(iv), including:

177 (i) provisions for students or parents to opt out of the requirement due to:

178 (A) financial ineligibility for any potential grant or other financial aid;

179 (B) personal privacy concerns; or

180 (C) other reasons the board specifies; and

181 (ii) direction for applicants to financial aid advisors.

182 (7) (a) The scholarship may be used at a:

183 (i) higher education institution within the state system of higher education that offers
184 baccalaureate programs; or

185 (ii) if the scholarship holder applies for the scholarship on or before October 1, 2019,
186 private, nonprofit college or university in the state accredited by the Northwest Association of
187 Schools and Colleges that offers baccalaureate programs.

188 (b) (i) Subject to Subsection (7)(e), the total value of the scholarship is up to \$5,000,
189 allocated over a time period described in Subsection (7)(c), as prescribed by the board.

190 (ii) The board may increase the scholarship amount described in Subsection (7)(b)(i)

191 by an amount not to exceed the average percentage tuition increase approved by the board for
192 institutions in the state system of higher education.

193 (c) The scholarship is valid for the shortest of the following time periods:

194 (i) two years of full-time equivalent enrollment;

195 (ii) 60 credit hours; or

196 (iii) until the student meets the requirements for a baccalaureate degree.

197 (d) (i) A scholarship holder shall enroll full-time at a higher education institution by no
198 later than the fall term immediately following the student's high school graduation date or
199 receive an approved deferral from the board.

200 (ii) The board may grant a deferral or leave of absence to a scholarship holder, but the
201 scholarship holder may only receive scholarship money within five years of the student's high
202 school graduation date.

203 (e) For a scholarship for which a student applies after October 1, 2019:

204 (i) the board shall reduce the amount of the scholarship holder's scholarship so that the
205 total amount of state aid awarded to the scholarship holder, including tuition or fee waivers or
206 the scholarship, does not exceed the cost of the scholarship holder's tuition and fees; and

207 (ii) the scholarship holder may only use the scholarship for tuition and fees.

208 (8) The board may cancel a New Century scholarship at any time if the student fails to:

209 (a) register for at least 15 credit hours per semester;

210 (b) maintain a 3.3 grade point average for two consecutive semesters; or

211 (c) make reasonable progress toward the completion of a baccalaureate degree.

212 (9) (a) Subject to future budget constraints, the Legislature shall make an annual
213 appropriation from the General Fund to the board for the costs associated with the New
214 Century Scholarship Program authorized under this section.

215 (b) It is understood that the appropriation is offset in part by the state money that would
216 otherwise be required and appropriated for these students if they were enrolled in a four-year
217 postsecondary program at a state-operated institution.

218 (c) Notwithstanding Subsections (3)(a) and (7), if the appropriation under Subsection
219 (9)(a) is insufficient to cover the costs associated with the New Century Scholarship Program,
220 the board may reduce the scholarship amount.

221 (d) If money appropriated under this section is available after New Century
222 scholarships are awarded, the board shall use the money for the [~~Access Utah Promise~~
223 ~~Scholarship Program created in Section 53B-8-302~~] Utah Promise Program created in Section
224 53B-13a-103.

225 (10) (a) The board shall adopt policies establishing an application process and an
226 appeal process for a New Century scholarship.

227 (b) The board shall disclose on all applications and related materials that the amount of
228 the scholarship is subject to funding and may be reduced, in accordance with Subsection (9)(c).

229 (c) The board shall require an applicant for a New Century scholarship to certify under
230 penalty of perjury that:

231 (i) the applicant is a United States citizen; or

232 (ii) the applicant is a noncitizen who is eligible to receive federal student aid.

233 (d) The certification under this Subsection (10) shall include a statement advising the
234 signer that providing false information subjects the signer to penalties for perjury.

235 (11) The board may set deadlines for receiving New Century scholarship applications
236 and supporting documentation.

237 (12) A student may not receive both a New Century scholarship and an Opportunity
238 scholarship established in [~~Part 2, Opportunity Scholarship Program~~] Section 53B-8-201 or any
239 scholarship established under Sections 53B-8-202 through 53B-8-205.

240 Section 3. Section **53B-8-112** is amended to read:

241 **53B-8-112. Public Safety Officer Career Advancement Grant Program.**

242 (1) The Public Safety Officer Career Advancement [~~Reimbursement~~] Grant Program is
243 created.

244 (2) Subject to legislative appropriations and Subsection [~~(7)~~] (6) the board shall

245 [~~reimburse~~] award a grant to an applicant who:

246 (a) is a certified peace officer, currently employed by a law enforcement agency within
247 the state; and

248 [~~(b) has been employed as a certified peace officer for three or more consecutive~~
249 ~~years;~~]

250 [~~(c)~~] (b) is seeking a post-secondary degree in the area of criminal justice from a
251 credit-granting higher education institution within the state system of higher education,
252 described in Section 53B-1-102[~~;~~and].

253 [~~(d) is employed as a peace officer for one year following completion of the academic~~
254 ~~year for which the individual is seeking reimbursement.~~]

255 [~~(3) Individuals who qualify for reimbursement from the Public Safety Officer Career~~
256 ~~Advancement Reimbursement Program may apply for reimbursement by July 1 one year after~~
257 ~~each academic year for which they are requesting reimbursement.~~]

258 [~~(4) Subject to Legislative appropriations, of the funds appropriated for the Public~~
259 ~~Safety Officer Career Advancement Reimbursement Program:~~]

260 [~~(a) 25% of the annual appropriation shall be designated for applicants who are~~
261 ~~currently employed by a law enforcement agency with jurisdiction in a county of the third or~~
262 ~~fourth class; and]~~

263 [~~(b) 12% of the annual appropriation shall be designated for applicants who are~~
264 ~~currently employed by a law enforcement agency with jurisdiction in a county of the fifth or~~
265 ~~sixth class.~~]

266 [~~(5)~~] (3) (a) [~~A~~] Subject to Subsection (3)(b), the board may award a qualified
267 applicant [~~may be reimbursed up to half of~~] up to the cost of tuition and fees.

268 (b) [~~A reimbursement~~] A grant award under Subsection [~~(5)~~] (3)(a) is limited to:

269 (i) a maximum of \$5,000 each academic year; and

270 (ii) a maximum of [~~eight~~] four academic years.

271 (4) The board shall design the program to use a packaging approach that ensures that

272 institutions combine loans, grants, employment, and family and individual contributions
273 toward financing the cost of attendance.

274 ~~[(6)]~~ (5) (a) The board shall make rules in accordance with Title 63G, Chapter 3, Utah
275 Administrative Rulemaking Act, to:

276 (i) set deadlines for receiving ~~[reimbursement]~~ grant applications and supporting
277 documentation; and

278 (ii) establish the application process and an appeal process for ~~[a reimbursement from]~~
279 the Public Safety Officer Career Advancement ~~[Reimbursement]~~ Grant Program~~[-including~~
280 ~~procedures to allow for online application submittals].~~

281 (b) The board shall include a disclosure on all applications and related materials that
282 the amount of the awarded ~~[reimbursements]~~ grants may be subject to funding or be reduced, in
283 accordance with Subsection ~~[(7)]~~ (6).

284 ~~[(7)]~~ (6) (a) Subject to future budget constraints, the Legislature shall make an annual
285 appropriation from the Education Fund to the board for the costs associated with the Public
286 Safety Officer Career Advancement ~~[Reimbursement]~~ Grant Program authorized under this
287 section.

288 (b) Notwithstanding the provisions of this section, if the appropriation under this
289 section is insufficient to cover the costs associated with the Public Safety Officer Career
290 Advancement ~~[Reimbursement]~~ Grant Program, the board may:

291 (i) ~~[may]~~ reduce the amount of a ~~[reimbursement]~~ grant; ~~[and]~~ or

292 (ii) ~~[shall]~~ distribute ~~[reimbursements]~~ grants on a pro rata basis to all eligible
293 applicants who submitted a complete application before the application deadline.

294 ~~[(c) Any individual who is denied reimbursement because of insufficient funds~~
295 ~~appropriated may re-apply for reimbursement up to two years after the first year of eligibility.]~~

296 Section 4. Section **53B-8-201** is amended to read:

297 **53B-8-201. Opportunity Scholarship Program.**

298 (1) As used in this section:

- 299 (a) "Eligible institution" means:
- 300 (i) a degree-granting institution of higher education within the state system of higher
301 education; or
- 302 (ii) a private, nonprofit college or university in the state that is accredited by the
303 Northwest Commission on Colleges and Universities.
- 304 (b) "Eligible student" means a student who:
- 305 (i) applies to the board in accordance with the rules described in Subsection (5);
- 306 (ii) is enrolled in an eligible institution; and
- 307 (iii) meets the criteria established by the board in rules described in Subsection (5).
- 308 (c) "Fee" means:
- 309 (i) for an eligible institution that is a degree-granting institution, a fee approved by the
310 board; or
- 311 (ii) for an eligible institution that is a technical college, a fee approved by the eligible
312 institution.
- 313 (d) "Program" means the Opportunity Scholarship Program described in this section.
- 314 (2) (a) Subject to legislative appropriations, the board shall annually distribute money
315 for the Opportunity Scholarship Program described in this section to each eligible institution to
316 award as Opportunity scholarships to eligible students.
- 317 (b) The board shall annually determine the amount of an Opportunity scholarship based
318 on:
- 319 (i) the number of eligible students in the state; and
- 320 (ii) money available for the program.
- 321 (c) The board may not use more than 3% of the money appropriated to the program for
322 administrative costs and overhead.
- 323 (3) (a) Except as provided in this Subsection (3), an eligible institution shall provide to
324 an eligible student an Opportunity scholarship in the amount determined by the board described
325 in Subsection (2)(b).

326 (b) For an Opportunity scholarship for which an eligible student applies on or before
327 July 1, 2019, an eligible institution may reduce the amount of the Opportunity scholarship
328 based on other state aid awarded to the eligible student for tuition and fees.

329 (c) For an Opportunity scholarship for which an eligible student applies after July 1,
330 2019:

331 (i) an eligible institution shall reduce the amount of the Opportunity scholarship so that
332 the total amount of state aid awarded to the eligible student, including tuition or fee waivers
333 and the Opportunity scholarship, does not exceed the cost of the eligible student's tuition and
334 fees; and

335 (ii) the eligible student may only use the Opportunity scholarship for tuition and fees.

336 (d) An institution described in Subsection (1)(a)(ii) may not award an Opportunity
337 scholarship to an eligible student in an amount that exceeds the average total cost of tuition and
338 fees among the eligible institutions described in Subsection (1)(a)(i).

339 (e) If the allocation for an eligible institution described in Subsection (1)(a)(ii) is
340 insufficient to provide the amount described in Subsection (2)(b) to each eligible student, the
341 eligible institution may reduce the amount of an Opportunity scholarship.

342 (4) The board may:

343 (a) audit an eligible institution's administration of Opportunity scholarships;

344 (b) require an eligible institution to repay to the board money distributed to the eligible
345 institution under this section that is not provided to an eligible student as an Opportunity
346 scholarship; and

347 (c) require an eligible institution to enter into a written agreement with the board in
348 which the eligible institution agrees to provide the board with access to information and data
349 necessary for the purposes of the program.

350 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
351 board shall make rules that establish:

352 (a) requirements related to an eligible institution's administration of Opportunity

353 scholarships;

354 (b) a process for a student to apply to the board to determine the student's eligibility for
355 an Opportunity scholarship;

356 (c) criteria to determine a student's eligibility for an Opportunity scholarship,
357 including:

358 (i) minimum secondary education academic performance standards; and

359 (ii) the completion of a Free Application for Federal Student Aid or a process approved
360 by the board in lieu of the Free Application for Federal Student Aid;

361 (d) a requirement for each eligible institution to annually report to the board on all
362 Opportunity scholarships awarded by the eligible institution; and

363 (e) a process for a student to apply to the board for an Opportunity scholarship who
364 would have likely received the scholarship but for an irreconcilable error in the application
365 process described in Subsection (5)(b).

366 (6) The board shall annually report on the program to the Higher Education
367 Appropriations Subcommittee.

368 (7) The State Board of Education, a school district, or a public high school shall
369 cooperate with the board and eligible institutions to facilitate the program, including by
370 exchanging relevant data where allowed by law.

371 Section 5. Section **53B-10-101** is amended to read:

372 **53B-10-101. Terrel H. Bell Teaching Incentive Loans program -- Eligible**
373 **students -- Cancellation of incentive loans -- Repayment by recipient who fails to meet**
374 **requirements -- Duration of incentive loans.**

375 (1) (a) Notwithstanding the provisions of this section, the board may not award an
376 incentive loan described in this section on or after July 1, 2019.

377 (b) The provisions of this section apply to an incentive loan described in this section
378 that was awarded before July 1, 2019.

379 (2) (a) A Terrel H. Bell Teaching Incentive Loans program is established to recruit and

380 train superior candidates for teaching in Utah's public school system as a component of the
381 teacher quality continuum referred to in Subsections 53E-2-302(7) and 53E-6-103(2)(a).

382 (b) Under the program, the incentive loans may be used in any of Utah's state-operated
383 institutions of higher education or at a private institution of higher education in Utah that offers
384 a state-approved teacher education program.

385 (3) (a) The board shall award the incentive loans to college students who have been
386 admitted to, or have made application to and are prepared to enter into, a program preparing
387 students for licensure and who declare an intent to complete the prescribed course of
388 instruction and to teach in this state in accordance with the priorities described under
389 Subsection (6)(c).

390 (b) The incentive loan may be canceled at any time by the institution of attendance if:

391 (i) the student fails to make reasonable progress toward completion of licensing
392 requirements; or

393 (ii) it appears to be a reasonable certainty that the student does not intend to teach in
394 Utah.

395 (c) The board may grant leaves of absence to incentive loan holders.

396 (d) The board may establish by rule made in accordance with Title 63G, Chapter 3,
397 Utah Administrative Rulemaking Act, criteria and procedures under which the board may
398 forgive a loan made under this section.

399 (4) The board may require an incentive loan recipient who fails to complete the
400 requirements for licensing without good cause to repay all tuition and fees provided by the
401 loan, together with appropriate interest.

402 (5) (a) The board may require an incentive loan recipient who does not work in the
403 state's public school system or a private school within the state within two years after
404 graduation to repay all tuition and fees provided by the loan, together with appropriate interest,
405 unless waived for good cause.

406 (b) (i) A recipient who does not teach for a term equal to the number of years of the

407 incentive loan within a reasonable period of time after graduation shall repay a graduated
408 portion of the tuition and fees based upon the uncompleted term.

409 (ii) One year of teaching is credit for one year's tuition and fees.

410 (c) All repayments made under this Subsection (5) are for use in the Terrel H. Bell
411 Education Scholarship Program described in Section [53B-8-116](#).

412 (6) (a) Each incentive loan is valid for up to four years of full-time equivalent
413 enrollment, or until requirements for licensing or advanced licensing have been met, whichever
414 is less.

415 (b) (i) Incentive loans apply to both tuition and fees in amounts and are subject to
416 conditions approved by the board, based upon criteria developed to ensure that all recipients of
417 the loans will pursue an education career within the state.

418 (ii) An incentive loan for tuition and fees at a private institution may not exceed the
419 average scholarship amounts granted for tuition and fees at public institutions of higher
420 education within the state.

421 (c) Incentive loans shall be awarded in accordance with prioritized critical areas of
422 need for teaching expertise within the state, as determined by the State Board of Education's
423 criticality index and school district priorities based upon data provided by the school district,
424 and may include preparing persons as:

425 (i) a special education teacher;

426 (ii) a speech or language pathologist; or

427 (iii) another licensed professional providing services in the public schools to pupils
428 with disabilities.

429 Section 6. Section **53B-10-106** is enacted to read:

430 **53B-10-106. Pathways development.**

431 **(1) The board shall develop and implement a plan that creates clear educational**
432 **pathways:**

433 **(a) from a technical college described in Subsection [53B-1-102\(1\)\(b\)](#) to an institution;**

434 and

435 (b) in course work leading to a qualifying degree or a qualifying job as described in
436 Section 53B-10-203.

437 (2) The plan shall maximize efficiencies in transferring earned credit and help align
438 academic programs with workforce needs.

439 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
440 board may make rules necessary to establish a plan described in this section.

441 Section 7. Section 53B-10-201 is amended to read:

442 **Part 2. Talent Development Award Program**

443 **53B-10-201. Definitions.**

444 As used in this part:

445 (1) "Award" means a monetary grant awarded in accordance with Section 53B-10-202.

446 ~~[(1)]~~ (2) "Full-time" means the number of credit hours the board determines is full-time
447 enrollment for a student for purposes of the program.

448 ~~[(2)]~~ (3) "GO Utah office" means the Governor's Office of Economic Opportunity
449 created in Section 63N-1a-301.

450 ~~[(3) "Incentive loan" means a loan described in Section 53B-10-202.]~~

451 (4) "Institution" means an institution of higher education described in Subsection
452 53B-1-102(1)(a).

453 (5) "Program" means the Talent Development [~~Incentive Loan~~] Award Program
454 created in Section 53B-10-202.

455 (6) "Qualifying degree" means an associate's or a bachelor's degree that qualifies an
456 individual to work in a qualifying job, as determined by the GO Utah office under Section
457 53B-10-203.

458 (7) "Qualifying job" means a job:

459 (a) described in Section 53B-10-203 for which an individual may receive an [~~incentive~~
460 loan] award for the current two-year period; or

461 (b) (i) that was selected in accordance with Section 53B-10-203 at the time a recipient
462 received an [~~incentive loan~~] award; and

463 (ii) (A) for which the recipient is pursuing a qualifying degree;

464 (B) for which the recipient completed a qualifying degree; or

465 (C) in which the recipient is working.

466 (8) "Recipient" means an individual who receives an [~~incentive loan~~] award.

467 Section 8. Section 53B-10-202 is amended to read:

468 **53B-10-202. Talent Development Award Program.**

469 (1) There is created the Talent Development [~~Incentive Loan~~] Award Program to
470 recruit and train individuals to work in certain jobs that have a high demand for new employees
471 and offer high wages.

472 (2) Subject to available funds, an institution shall award [~~an incentive loan to~~] an
473 individual who:

474 [~~(a) is enrolled full time in the institution;~~]

475 [~~(b) has completed at least:~~]

476 [~~(i) one semester of full-time equivalent course work if the individual is pursuing an
477 associate's degree; or]~~

478 [~~(ii) two semesters of full-time equivalent course work if the individual is pursuing a
479 bachelor's degree;~~]

480 [~~(c)~~] (a) is pursuing or declares an intent to pursue a qualifying degree;

481 [~~(d)~~] (b) declares an intent to work in a qualifying job described in Subsection

482 53B-10-201(7)(a) in Utah following graduation;

483 [~~(e)~~] (c) applies to the institution to receive an [~~incentive loan~~] award; and

484 [~~(f)~~] (d) meets other criteria determined by the board in the rules described in Section

485 53B-10-205.

486 (3) (a) An institution may award [~~an incentive loan to~~] a recipient in an amount up to
487 the cost of resident tuition, fees, and books for the number of credit hours in which the

488 recipient is enrolled each semester.

489 (b) An institution may award ~~[an incentive loan to]~~ a recipient for up to the expected
490 amount of time for the recipient to complete the qualifying degree, as determined by the
491 institution.

492 (c) An institution may cancel an ~~[incentive loan]~~ award in accordance with the rules
493 described in Section [53B-10-205](#).

494 (4) An institution may use money from a partnership with an industry or business for
495 funding or repaying an ~~[incentive loan]~~ award.

496 (5) The board may use up to 5% of money appropriated for the program for
497 administration.

498 Section 9. Section **53B-10-205** is amended to read:

499 **53B-10-205. Rulemaking -- Program administration.**

500 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
501 board shall make rules to:

502 ~~[(1)]~~ (a) establish an application process for an individual to apply for an ~~[incentive~~
503 ~~loan]~~ award;

504 ~~[(2)]~~ (b) subject to Section [53B-10-202](#), establish qualifying criteria for an individual
505 to receive an ~~[incentive loan]~~ award, including enrollment status;

506 (c) establish a process to evaluate applications that prioritizes awards to students who
507 demonstrate financial need;

508 ~~[(3)]~~ (d) establish how state funding available for ~~[incentive loans]~~ awards is divided
509 among institutions;

510 ~~[(4)]~~ (e) establish how to determine an amount of money for an ~~[incentive loan]~~ award;

511 ~~[(5)]~~ (f) establish the circumstances under which an institution may~~[:]~~ cancel an award;
512 and

513 ~~[(a) cancel an incentive loan; or]~~

514 ~~[(b) waive or delay repayment of an incentive loan; and]~~

515 [~~(6) administer the program.~~]

516 (g) require an institution to provide specified information to the board relevant to
517 administering the program.

518 (2) In administering the program, the board shall use a packaging approach that ensures
519 that institutions combine loans, grants, employment, and family and individual contributions
520 toward financing the cost of attendance.

521 Section 10. Section **53B-13a-102** is amended to read:

522 **CHAPTER 13a. UTAH PROMISE PROGRAM ACT**

523 **53B-13a-102. Definitions.**

524 As used in this chapter:

525 (1) (a) "Cost of attendance" means the estimated costs associated with attending an
526 institution, as established by the institution in accordance with board policies.

527 (b) "Cost of attendance" includes costs payable to the institution, other direct
528 educational expenses, transportation, and living expenses while attending the institution.

529 (2) (a) "Eligible student" means a financially needy student who is:

530 (i) unconditionally admitted to and enrolled at a Utah postsecondary institution on at
531 least a half-time basis, as defined by the board, in an eligible postsecondary program leading to
532 a defined education or training objective, as defined by the board;

533 (ii) making satisfactory academic progress, as defined by the institution in published
534 policies or rules, toward an education or training objective; and

535 (iii) (A) a resident student under Section **53B-8-102** and rules of the board; or

536 (B) exempt from paying the nonresident portion of total tuition under Section
537 **53B-8-106.**

538 (b) "Eligible student" does not include a graduate student.

539 (3) "Financially needy student" means a student who demonstrates the financial
540 inability to meet all or a portion of the cost of attendance at an institution for any period of
541 attendance as defined by the board, after considering the student's expected family contribution.

- 542 (4) "Fiscal year" means the fiscal year of the state.
- 543 (5) "Partner award" means a financial award described in Section [53B-13a-106](#).
- 544 ~~[(5)]~~ (6) "Program" means the ~~[Success Stipend]~~ Utah Promise Program.
- 545 (7) "Promise partner" means an employer that participates in the program described in
- 546 Section [53B-13a-106](#).

- 547 ~~[(6)]~~ (8) "Utah postsecondary institution" or "institution" means:
- 548 (a) an institution of higher education listed in Section ~~[53B-2-101]~~ [53B-1-102](#); or
- 549 (b) a Utah private, nonprofit postsecondary institution that is accredited by a regional
- 550 accrediting organization recognized by the board.

551 Section 11. Section **53B-13a-103** is amended to read:

552 **53B-13a-103. Utah Promise Program -- Annual report.**

- 553 (1) The Legislature finds that:
- 554 (a) the prosperity, economic success, and general welfare of the people of Utah and of
- 555 the state are directly related to the educational levels and skills of the citizens of the state; and
- 556 (b) financial assistance, to bridge the gap between a financially needy student's
- 557 resources and the cost of attendance at a Utah postsecondary institution, is a necessary
- 558 component for ensuring access to postsecondary education and training.

559 (2) There is created the ~~[Success Stipend]~~ Utah Promise Program to provide financial

560 assistance to students ~~[who, after utilizing family and personal resources, federal assistance,~~

561 ~~and scholarships, demonstrate financial need]~~.

562 (3) The board shall annually submit an electronic report to the Higher Education

563 Appropriations Subcommittee regarding the Utah Promise Program.

564 Section 12. Section **53B-13a-104** is repealed and reenacted to read:

565 **53B-13a-104. Promise grants.**

566 (1) (a) As part of the Utah Promise Program and in accordance with this section, the

567 board shall allocate available money to each institution to use to award promise grants to

568 eligible students to pay the eligible student's cost of attendance.

569 (b) An eligible student may apply for a promise grant in accordance with procedures
570 established by board rule.

571 (c) The amount of a promise grant to an eligible student may not exceed the amount
572 equal to the difference between:

573 (i) the eligible student's cost of attendance; and

574 (ii) the total value of other financial aid that the eligible student receives toward the
575 eligible student's cost of attendance.

576 (d) An eligible student may transfer a promise grant to one or more other institutions.

577 (2) In administering this section, the board shall use a packaging approach that ensures
578 that institutions combine loans, grants, employment, and family and individual contributions
579 toward financing the cost of attendance.

580 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
581 that board shall make rules establishing:

582 (a) an application process;

583 (b) eligibility criteria, including:

584 (i) criteria related to academic achievement and enrollment status; and

585 (ii) a requirement that an applicant demonstrate completion of the Free Application for
586 Federal Student Aid, unless the student or the student's parent opts out in accordance with
587 board rule;

588 (c) how a student demonstrates financial need;

589 (d) a process to defer a promise grant;

590 (e) a formula to determine the allocation of money to institutions in accordance with

591 Subsection (1), taking into account:

592 (i) the cost of attendance for programs offered by institutions; and

593 (ii) the number of eligible students who attend each institution; and

594 (f) a methodology for prioritizing award of promise grants based primarily on financial
595 need.

596 (4) After an institution awards a promise grant to an eligible student, the institution
597 shall continue to award a promise grant to the eligible student:

598 (a) until the earlier of:

599 (i) two years after the eligible student first receives a promise grant; or

600 (ii) after the eligible student uses a promise grant to attend an institution for four
601 semesters; and

602 (b) provided the eligible student continues to meet the eligibility criteria.

603 (5) The board or an institution may not represent to a recipient or a potential recipient
604 of a promise grant that promise grants will remain available in perpetuity.

605 (6) (a) The board may require an institution to enter into a participation agreement
606 before the institution may award promise grants.

607 (b) In a participation agreement, the board shall include a requirement that the
608 institution:

609 (i) provide to the board information necessary to administer the promise grants;

610 (ii) comply with this section and board rules related to the promise grants;

611 (iii) submit reports related to the promise grants as required by board rule; and

612 (iv) cooperate in any review or financial audit related to the promise grants that the
613 board determines necessary.

614 (7) (a) The board may use up to 2% of the money appropriated for promise grants for
615 costs related to administering the promise grants.

616 (b) An institution may use up to 3% of the money the institution receives for promise
617 grants for costs related to administering the promise grants.

618 Section 13. Section **53B-13a-106**, which is renumbered from Section 53B-8-304 is
619 renumbered and amended to read:

620 ~~[53B-8-304].~~ **53B-13a-106. Utah promise partners.**

621 (1) ~~[It]~~ As part of the Utah Promise Program and in consultation with the Talent Ready
622 Utah Program created in Section 63N-1b-302, [and in accordance with Subsection (2);] the

623 board ~~shall~~ may select employers to be promise partners.

624 (2) The board may select an employer as a promise partner if the employer:

625 (a) applies to the board to be a promise partner; and

626 (b) meets other requirements established by the board in the rules described in

627 Subsection (5).

628 (3) An individual employed by a promise partner is eligible to receive a partner award

629 if the individual:

630 (a) applies for a partner award;

631 (b) is admitted to and enrolled in an institution;

632 ~~[(c) is a Utah resident;]~~

633 ~~[(d) does not have an associate or higher postsecondary degree;]~~

634 ~~[(e)]~~ (c) meets requirements established by the promise partner related to a partner

635 award; and

636 ~~[(f)]~~ (d) maintains the eligibility requirements described in this Subsection (3) for the

637 full length of time the individual receives the partner award.

638 (4) (a) Subject to legislative appropriations and Subsection (4)(b), the board shall

639 award a partner award to an individual who meets the requirements described in Subsection

640 (3).

641 (b) The board may:

642 (i) award a partner award for up to the portion of tuition and fees for a program at an

643 institution that is not covered by an employer reimbursement described in Subsection (5)(b);

644 and

645 (ii) prioritize awarding partner awards if an appropriation for partner awards is not

646 sufficient to provide a partner award to each individual who is eligible under Subsection (3).

647 (c) The board may continue to award a partner award to a recipient who meets the

648 requirements described in Subsection (3) until the earliest of the following:

649 (i) two years after the individual initially receives a partner award;

- 650 (ii) the recipient uses a partner award to attend an institution for four semesters;
- 651 (iii) the recipient completes the requirements for an associate degree; or
- 652 (iv) if the recipient attends an institution that does not offer associate degrees, the
- 653 recipient has 60 earned credit hours.

654 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

655 board shall make rules that establish:

656 (a) requirements for an employer to seek and receive approval from the board for the

657 employer's employees to receive partner awards;

658 (b) requirements related to an employer providing reimbursement to an employee who

659 receives a partner award for a portion of the employee's tuition and fees;

660 (c) a process for an individual to apply for a partner award;

661 (d) criteria for the board to prioritize awarding partner awards to individuals; and

662 (e) a requirement that an institution shall, for a recipient of a partner award:

663 (i) evaluate the recipient's knowledge, skills, and competencies acquired through

664 formal or informal education outside the traditional postsecondary academic environment; and

665 (ii) award credit, as applicable, for the recipient's prior learning described in Subsection

666 (5)(e)(i).

667 (6) The board may allow an individual to apply directly to the board for a partner

668 award.

669 Section 14. Section **63G-12-402** is amended to read:

670 **63G-12-402. Receipt of state, local, or federal public benefits -- Verification --**

671 **Exceptions -- Fraudulently obtaining benefits -- Criminal penalties -- Annual report.**

672 (1) (a) Except as provided in Subsection (3) or when exempted by federal law, an

673 agency or political subdivision of the state shall verify the lawful presence in the United States

674 of an individual at least 18 years of age who applies for:

675 (i) a state or local public benefit as defined in 8 U.S.C. Sec. 1621; or

676 (ii) a federal public benefit as defined in 8 U.S.C. Sec. 1611, that is administered by an

677 agency or political subdivision of this state.

678 (b) For purpose of a license issued under Title 58, Chapter 55, Utah Construction
679 Trades Licensing Act, to an applicant that is an unincorporated entity, the Department of
680 Commerce shall verify in accordance with this Subsection (1) the lawful presence in the United
681 States of each individual who:

682 (i) owns an interest in the contractor that is an unincorporated entity; and

683 (ii) engages, or will engage, in a construction trade in Utah as an owner of the
684 contractor described in Subsection (1)(b)(i).

685 (2) This section shall be enforced without regard to race, religion, gender, ethnicity, or
686 national origin.

687 (3) Verification of lawful presence under this section is not required for:

688 (a) any purpose for which lawful presence in the United States is not restricted by law,
689 ordinance, or regulation;

690 (b) assistance for health care items and services that:

691 (i) are necessary for the treatment of an emergency medical condition, as defined in 42
692 U.S.C. Sec. 1396b(v)(3), of the individual involved; and

693 (ii) are not related to an organ transplant procedure;

694 (c) short-term, noncash, in-kind emergency disaster relief;

695 (d) public health assistance for immunizations with respect to immunizable diseases
696 and for testing and treatment of symptoms of communicable diseases whether or not the
697 symptoms are caused by the communicable disease;

698 (e) programs, services, or assistance such as soup kitchens, crisis counseling and
699 intervention, and short-term shelter, specified by the United States Attorney General, in the
700 sole and unreviewable discretion of the United States Attorney General after consultation with
701 appropriate federal agencies and departments, that:

702 (i) deliver in-kind services at the community level, including through public or private
703 nonprofit agencies;

- 704 (ii) do not condition the provision of assistance, the amount of assistance provided, or
- 705 the cost of assistance provided on the income or resources of the individual recipient; and
- 706 (iii) are necessary for the protection of life or safety;
- 707 (f) the exemption for paying the nonresident portion of total tuition as set forth in
- 708 Section 53B-8-106;
- 709 (g) an applicant for a license under Section 61-1-4, if the applicant:
- 710 (i) is registered with the Financial Industry Regulatory Authority; and
- 711 (ii) files an application with the state Division of Securities through the Central
- 712 Registration Depository;
- 713 (h) a state public benefit to be given to an individual under Title 49, Utah State
- 714 Retirement and Insurance Benefit Act;
- 715 (i) a home loan that will be insured, guaranteed, or purchased by:
- 716 (i) the Federal Housing Administration, the Veterans Administration, or any other
- 717 federal agency; or
- 718 (ii) an enterprise as defined in 12 U.S.C. Sec. 4502;
- 719 (j) a subordinate loan or a grant that will be made to an applicant in connection with a
- 720 home loan that does not require verification under Subsection (3)(i);
- 721 (k) an applicant for a license issued by the Department of Commerce or individual
- 722 described in Subsection (1)(b), if the applicant or individual provides the Department of
- 723 Commerce:
- 724 (i) certification, under penalty of perjury, that the applicant or individual is:
- 725 (A) a United States citizen;
- 726 (B) a qualified alien as defined in 8 U.S.C. Sec. 1641; or
- 727 (C) lawfully present in the United States; and
- 728 (ii) (A) the number assigned to a driver license or identification card issued under Title
- 729 53, Chapter 3, Uniform Driver License Act; or
- 730 (B) the number assigned to a driver license or identification card issued by a state other

731 than Utah if, as part of issuing the driver license or identification card, the state verifies an
732 individual's lawful presence in the United States; and

733 (l) an applicant for:

734 (i) an Opportunity scholarship described in Title 53B, Chapter 8, Part 2, Regents'
735 Scholarship Program;

736 (ii) a New Century scholarship described in Section [53B-8-105](#);

737 (iii) a promise [~~scholarship described in Section [53B-8-303](#)~~] grant described in Section
738 [53B-13a-104](#); or

739 (iv) a scholarship:

740 (A) for an individual who is a graduate of a high school located within Utah; and

741 (B) administered by an institution of higher education as defined in Section [53B-2-101](#).

742 (4) (a) An agency or political subdivision required to verify the lawful presence in the
743 United States of an applicant under this section shall require the applicant to certify under
744 penalty of perjury that:

745 (i) the applicant is a United States citizen; or

746 (ii) the applicant is:

747 (A) a qualified alien as defined in 8 U.S.C. Sec. 1641; and

748 (B) lawfully present in the United States.

749 (b) The certificate required under this Subsection (4) shall include a statement advising
750 the signer that providing false information subjects the signer to penalties for perjury.

751 (5) An agency or political subdivision shall verify a certification required under
752 Subsection (4)(a)(ii) through the federal SAVE program.

753 (6) (a) An individual who knowingly and willfully makes a false, fictitious, or
754 fraudulent statement or representation in a certification under Subsection (3)(k) or (4) is subject
755 to the criminal penalties applicable in this state for:

756 (i) making a written false statement under Subsection [76-8-504\(2\)](#); and

757 (ii) fraudulently obtaining:

758 (A) public assistance program benefits under Sections 76-8-1205 and 76-8-1206; or
759 (B) unemployment compensation under Section 76-8-1301.

760 (b) If the certification constitutes a false claim of United States citizenship under 18
761 U.S.C. Sec. 911, the agency or political subdivision shall file a complaint with the United
762 States Attorney General for the applicable district based upon the venue in which the
763 application was made.

764 (c) If an agency or political subdivision receives verification that a person making an
765 application for a benefit, service, or license is not a qualified alien, the agency or political
766 subdivision shall provide the information to the Office of the Attorney General unless
767 prohibited by federal mandate.

768 (7) An agency or political subdivision may adopt variations to the requirements of this
769 section that:

770 (a) clearly improve the efficiency of or reduce delay in the verification process; or

771 (b) provide for adjudication of unique individual circumstances where the verification
772 procedures in this section would impose an unusual hardship on a legal resident of Utah.

773 (8) It is unlawful for an agency or a political subdivision of this state to provide a state,
774 local, or federal benefit, as defined in 8 U.S.C. Sec. 1611 and 1621, in violation of this section.

775 (9) A state agency or department that administers a program of state or local public
776 benefits shall:

777 (a) provide an annual report to the governor, the president of the Senate, and the
778 speaker of the House regarding its compliance with this section; and

779 (b) (i) monitor the federal SAVE program for application verification errors and
780 significant delays;

781 (ii) provide an annual report on the errors and delays to ensure that the application of
782 the federal SAVE program is not erroneously denying a state or local benefit to a legal resident
783 of the state; and

784 (iii) report delays and errors in the federal SAVE program to the United States

785 Department of Homeland Security.

786 Section 15. Section **63I-2-253** is amended to read:

787 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

788 [~~(1) Section 53-1-106.1 is repealed January 1, 2022.~~]

789 [~~(2) (a) Section 53-2a-217, regarding procurement during an epidemic or pandemic~~
790 ~~emergency, is repealed on December 31, 2021.~~]

791 [~~(b) When repealing Section 53-2a-217, the Office of Legislative Research and General~~
792 ~~Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make~~
793 ~~necessary changes to subsection numbering and cross references.~~]

794 [~~(3) Section 53-2a-219, in relation to termination of emergency powers pertaining to~~
795 ~~COVID-19, is repealed on July 1, 2021.~~]

796 [~~(4)~~] (1) (a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a
797 technical college board of trustees, is repealed July 1, 2022.

798 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and
799 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
800 necessary changes to subsection numbering and cross references.

801 [~~(5)~~] (2) Section 53B-6-105.7 is repealed July 1, 2024.

802 [~~(6) (a) Subsection 53B-7-705(6)(b)(iii)(A), the language that states "Except as~~
803 ~~provided in Subsection (6)(b)(iii)(B)," is repealed July 1, 2021.~~]

804 [~~(b) Subsection 53B-7-705(6)(b)(iii)(B), regarding comparing a technical college's~~
805 ~~change in performance with the technical college's average performance, is repealed July 1,~~
806 ~~2021.~~]

807 [~~(7) (a) Subsection 53B-7-707(3)(a)(ii), the language that states "Except as provided in~~
808 ~~Subsection (3)(b)," is repealed July 1, 2021.~~]

809 [~~(b) Subsection 53B-7-707(3)(b), regarding performance data of a technical college~~
810 ~~during a fiscal year before fiscal year 2020, is repealed July 1, 2021.~~]

811 [~~(8)~~] (3) Section 53B-7-707 regarding performance metrics for technical colleges is

812 repealed July 1, 2023.

813 ~~[(9)]~~ (4) Section 53B-8-114 is repealed July 1, 2024.

814 ~~[(10)]~~ (5) The following ~~[sections]~~ provisions, regarding the Regents' scholarship
815 program, are repealed on July 1, 2023:

816 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship
817 established under Sections 53B-8-202 through 53B-8-205";

818 ~~[(a)]~~ (b) Section 53B-8-202;

819 ~~[(b)]~~ (c) Section 53B-8-203;

820 ~~[(c)]~~ (d) Section 53B-8-204; and

821 ~~[(d)]~~ (e) Section 53B-8-205.

822 ~~[(H)]~~ (6) Section 53B-10-101 is repealed on July 1, 2027.

823 ~~[(12)]~~ (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
824 repealed July 1, 2023.

825 ~~[(13)]~~ (8) Section 53E-1-202.2, regarding a Public Education Appropriations
826 Subcommittee evaluation and recommendations, is repealed January 1, 2024.

827 ~~[(14) Section 53E-3-520 is repealed July 1, 2021.]~~

828 ~~[(15)]~~ (9) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed
829 July 1, 2024.

830 ~~[(16)]~~ (10) In Subsections 53F-2-205(4) and (5), regarding the State Board of
831 Education's duties if contributions from the minimum basic tax rate are overestimated or
832 underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1,
833 2023.

834 ~~[(17)]~~ (11) Section 53F-2-209, regarding local education agency budgetary flexibility,
835 is repealed July 1, 2024.

836 ~~[(18)]~~ (12) Subsection 53F-2-301(1), relating to the years the section is not in effect, is
837 repealed July 1, 2023.

838 ~~[(19)]~~ (13) Section 53F-2-302.1, regarding the Enrollment Growth Contingency

839 Program, is repealed July 1, 2023.

840 ~~[(20)]~~ (14) Subsection 53F-2-314(4), relating to a one-time expenditure between the
841 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

842 ~~[(21)]~~ Section 53F-2-418, regarding the Supplemental Educator COVID-19 Stipend, is
843 repealed January 1, 2022.]

844 ~~[(22)]~~ (15) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
845 applicable" is repealed July 1, 2023.

846 ~~[(23)]~~ (16) Section 53F-4-207 is repealed July 1, 2022.

847 ~~[(24)]~~ (17) Subsection 53F-4-401(3)(b), regarding a child enrolled or eligible for
848 enrollment in kindergarten, is repealed July 1, 2022.

849 ~~[(25)]~~ (18) In Subsection 53F-4-404(4)(c), the language that states "Except as provided
850 in Subsection (4)(d)" is repealed July 1, 2022.

851 ~~[(26)]~~ (19) Subsection 53F-4-404(4)(d) is repealed July 1, 2022.

852 ~~[(27)]~~ (20) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as
853 applicable" is repealed July 1, 2023.

854 ~~[(28)]~~ (21) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
855 applicable" is repealed July 1, 2023.

856 ~~[(29)]~~ (22) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
857 applicable" is repealed July 1, 2023.

858 ~~[(30)]~~ (23) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,
859 as applicable" is repealed July 1, 2023.

860 ~~[(31)]~~ (24) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204(6),
861 related to the civics engagement pilot program, are repealed on July 1, 2023.

862 ~~[(32)]~~ (25) On July 1, 2023, when making changes in this section, the Office of
863 Legislative Research and General Counsel shall, in addition to the office's authority under
864 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
865 identified in this section are complete sentences and accurately reflect the office's perception of

866 the Legislature's intent.

867 Section 16. Section **64-13e-102** is amended to read:

868 **64-13e-102. Definitions.**

869 As used in this chapter:

870 (1) "Actual county daily incarceration rate" means the median amount of jail daily
871 incarceration costs based on the data submitted by counties in accordance with Section
872 [64-13e-104\(6\)\(b\)](#).

873 (2) "Actual state daily incarceration rate" means the average daily incarceration rate,
874 calculated by the department based on the previous three fiscal years, that reflects the following
875 expenses incurred by the department for housing an inmate:

- 876 (a) executive overhead;
- 877 (b) administrative overhead;
- 878 (c) transportation overhead;
- 879 (d) division overhead; and
- 880 (e) motor pool expenses.

881 (3) "Alternative treatment" means:

- 882 (a) evidence-based cognitive behavioral therapy; or
- 883 (b) a certificate-based program provided by [~~a Utah technical college, as defined in~~
884 ~~Section [53B-26-102](#)];~~

- 885 (i) an institution of higher education described in Subsection [53B-1-102\(1\)\(b\)](#); or
- 886 (ii) a degree-granting institution acting in the degree-granting institution's technical
887 education role described in Section [53B-2a-201](#).

888 (4) "Annual inmate jail days" means the total number of state probationary inmates
889 housed in a county jail each day for the preceding fiscal year.

890 (5) "CCJJ" means the Utah Commission on Criminal and Juvenile Justice, created in
891 Section [63M-7-201](#).

892 (6) "Department" means the Department of Corrections.

893 (7) "Division of Finance" means the Division of Finance, created in Section
894 63A-3-101.

895 (8) "Final county daily incarceration rate" means the amount equal to:

896 (a) the amount appropriated by the Legislature for the purpose of making payments to
897 counties under Section 64-13e-104; divided by

898 (b) the average annual inmate jail days for the preceding five fiscal years.

899 (9) "Jail daily incarceration costs" means the following daily costs incurred by a county
900 jail for housing a state probationary inmate on behalf of the department:

901 (a) executive overhead;

902 (b) administrative overhead;

903 (c) transportation overhead;

904 (d) division overhead; and

905 (e) motor pool expenses.

906 (10) "State inmate" means an individual, other than a state probationary inmate or state
907 parole inmate, who is committed to the custody of the department.

908 (11) "State parole inmate" means an individual who is:

909 (a) on parole, as defined in Section 77-27-1; and

910 (b) housed in a county jail for a reason related to the individual's parole.

911 (12) "State probationary inmate" means a felony probationer sentenced to time in a
912 county jail under Subsection 77-18-105(6).

913 (13) "Treatment program" means:

914 (a) an alcohol treatment program;

915 (b) a substance abuse treatment program;

916 (c) a sex offender treatment program; or

917 (d) an alternative treatment program.

918 Section 17. **Repealer.**

919 This bill repeals:

- 920 Section [53B-8-301](#), **Definitions.**
- 921 Section [53B-8-302](#), **Access Utah Promise Scholarship Program.**
- 922 Section [53B-8-303](#), **Access Utah promise scholarships.**
- 923 Section [53B-10-204](#), **Repayment of an incentive loan.**
- 924 Section [53B-11-104](#), **Eligibility for student financial aid -- Filing of selective service**
- 925 **status.**
- 926 Section [53B-13a-101](#), **Title.**
- 927 Section [53B-13a-105](#), **Disbursal of financial aid -- Additional resources.**
- 928 Section [53B-26-101](#), **Title.**
- 929 Section [53B-26-102](#), **Definitions.**
- 930 Section [53B-26-103](#), **GO Utah office reporting requirement -- Proposals --**
- 931 **Funding.**

932 Section 18. **Appropriation.**

933 The following sums of money are appropriated for the fiscal year beginning July 1,

934 2022, and ending June 30, 2023. These are additions to amounts previously appropriated for

935 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures

936 Act, the Legislature appropriates the following sums of money from the funds or accounts

937 indicated for the use and support of the government of the state of Utah.

938 ITEM 1

939	<u>To Utah Board of Higher Education - Administration</u>	
940	<u>From Education Fund</u>	<u>\$718,000</u>
941	<u>Schedule of Programs:</u>	
942	<u>Administration</u>	<u>\$718,000</u>

943 The Legislature intends that the Utah Board of Higher Education use the appropriation

944 provided under this section to pay for up to six full-time positions, including related costs, for

945 the purpose of implementing the educational pathways plan described in Section [53B-10-106](#).