

## HOUSE BILL NO. HB0133

Hathaway expand Wyoming scholarships.

Sponsored by: Representative(s) Harshman, Brown and Paxton  
and Senator(s) Anderson, Anselmi-Dalton,  
Boner, Pappas and Rothfuss

A BILL

for

1 AN ACT relating to education; providing for scholarships to  
2 out-of-state students to attend Wyoming institutions of  
3 higher education; specifying scholarship amounts, eligibility  
4 requirements and other elements of the scholarships;  
5 providing for resident tuition for scholarship recipients;  
6 creating a selection committee; creating accounts; making the  
7 award of scholarships contingent on funding as specified; and  
8 providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 21-16-1312 is created to read:

13

14 **21-16-1312. Hathaway expand Wyoming scholarship;**  
15 **eligibility requirements and conditions; selection.**

1

2 (a) There is created the Hathaway expand Wyoming  
3 scholarship. The scholarship shall be administered by the  
4 department in accordance with this section and rules adopted  
5 by the department. Hathaway expand Wyoming scholarship  
6 recipients shall be selected by a committee comprised of the  
7 governor, state superintendent of public instruction,  
8 president of the University of Wyoming and executive director  
9 of the community college commission, or their designees.

10

11 (b) Each year two (2) students from each state  
12 contiguous to Wyoming may be awarded a Hathaway expand Wyoming  
13 scholarship. Awards of Hathaway expand Wyoming scholarships  
14 shall be contingent on available funds and anticipated  
15 revenue to the Hathaway expand Wyoming scholarship  
16 expenditure account. Minimum initial qualifications for a  
17 Hathaway expand Wyoming scholarship shall be all initial  
18 requirements applicable to a Hathaway honor scholarship,  
19 other than Wyoming residency and graduation from a high school  
20 located in Wyoming. In addition to those requirements,  
21 recipients shall have:

22

1           (i) A minimum cumulative high school GPA of 3.75  
2 and a score equal to or greater than the 2015-2016 national  
3 percentile rank of ninety-six (96) on an examination  
4 administered throughout the United States and relied upon by  
5 institutions of higher education to determine acceptance of  
6 students for attendance;

7  
8           (ii) At the time of graduation, be a resident of  
9 a state contiguous to Wyoming and have successfully completed  
10 a curriculum at least as stringent as that imposed under W.S.  
11 21-16-1307 for Hathaway honor scholarships.

12  
13           (c) A Hathaway expand Wyoming scholarship shall be for  
14 the student's cost of attendance at an eligible institution,  
15 but not to exceed the maximum dollar amount provided to  
16 students receiving a trustee scholarship at the University of  
17 Wyoming and subject to reduction in accordance with W.S.  
18 21-16-1309(a). No student shall be eligible for a Hathaway  
19 expand Wyoming scholarship for more than the equivalent of  
20 eight (8) full-time semesters. Minimum continuing  
21 eligibility and reinstatement eligibility requirements for a  
22 Hathaway expand Wyoming scholarship shall be the same as  
23 requirements for a Hathaway honors scholarship. These

1 minimum requirements may be increased by rule of the  
2 department to requirements no more stringent than those  
3 imposed by the University of Wyoming for recipients of a  
4 trustee scholarship. Hathaway expand Wyoming scholarships  
5 may be reduced in the same manner and to lower levels as  
6 provided for Hathaway honor scholarships for failure to meet  
7 continuing eligibility requirements.

8

9 (d) Hathaway expand Wyoming scholarships shall not be  
10 subject to the provisions of W.S. 21-16-1308, but shall be  
11 administered by the department in accordance with the  
12 provisions of this section and the following:

13

14 (i) The department shall, in consultation with  
15 University of Wyoming and community college admissions  
16 officers and financial aid officers, promulgate rules  
17 necessary to implement this section. The consultation shall  
18 include development of a means for informing students in  
19 contiguous states of the availability of Hathaway expand  
20 Wyoming scholarships;

21

1           (ii) Eligible institutions shall provide  
2 information required by the department as necessary to  
3 fulfill its duties under this section;

4

5           (iii) Students shall apply for Hathaway expand  
6 Wyoming scholarships with the department at the time of  
7 applying for admission or at an earlier time as established  
8 by rule of the department. The application shall contain  
9 information required by rule of the department. The  
10 application shall require each applicant to verify under  
11 penalty of false swearing under W.S. 6-5-303, that the  
12 applicant has not been convicted of a felony in this state or  
13 another jurisdiction;

14

15           (iv) The department shall determine and certify to  
16 the state treasurer the amount of scholarships awarded under  
17 this section for attendance at each eligible institution not  
18 later than September 1 for the fall semester and not later  
19 than January 15 for the spring semester. Upon receipt of the  
20 certification the state treasurer shall pay from the  
21 scholarship expenditure account the amount certified by the  
22 department;

23

1           (v) The same information required to be reported  
2 under W.S. 21-16-1308 for Hathaway opportunity, performance  
3 and honor scholarships shall be reported for Hathaway expand  
4 Wyoming scholarships awarded.

5

6           (e) Before awarding a Hathaway expand Wyoming  
7 scholarship, the department shall obtain an agreement from  
8 each student, or the student's guardian, under which the  
9 student agrees to:

10

11           (i) Actively engage in work in Wyoming for one (1)  
12 year or attend graduate school at the University of Wyoming  
13 for one (1) year, for every four (4) academic semesters or  
14 portions thereof in which a Hathaway expand Wyoming  
15 scholarship was received. The department shall establish by  
16 rule the commencement of the period for undertaking the  
17 requirements of this paragraph, which period shall begin not  
18 later than one (1) year after the completion of the last  
19 semester in which a Hathaway expand Wyoming scholarship was  
20 received; or

21

22           (ii) Repay all Hathaway expand Wyoming scholarship  
23 amounts, together with interest which shall begin accruing

1 four (4) years after execution of the agreement. However,  
2 interest shall begin to accrue immediately upon the  
3 department determining that the student has withdrawn from  
4 the Wyoming institution of higher education or is otherwise  
5 not making satisfactory academic progress toward completion  
6 of a degree or program. Money expended under this section  
7 shall accrue at an annual interest rate equal to that charged  
8 for federal direct student loans at the time interest begins  
9 to accrue, which rate shall be adjusted annually to match the  
10 federal direct student loan rate. In no event shall the  
11 interest rate be greater than eight percent (8%). Any amounts  
12 repaid by Hathaway expand Wyoming scholarship recipients  
13 shall be deposited to the Hathaway expand Wyoming scholarship  
14 endowment fund created by W.S. 9-4-204(u)(viii).

15

16 (f) The Hathaway expand Wyoming scholarship expenditure  
17 account is created to consist of earnings from the Hathaway  
18 expand Wyoming scholarship endowment fund created by W.S.  
19 9-4-204(u)(viii) and such other funds appropriated by the  
20 legislature to the expenditure account. The monies deposited  
21 to the expenditure account under this subsection shall be  
22 available for scholarships under this section. Monies within  
23 the expenditure account are continuously appropriated to the

1 state treasurer for distribution to eligible institutions  
2 based on scholarships awarded under this section. All  
3 unexpended and unencumbered monies within the expenditure  
4 account at the end of each fiscal year shall be deposited by  
5 the state treasurer to the Hathaway expand Wyoming  
6 scholarship endowment fund.

7

8 **Section 2.** W.S. 9-4-204(u) by creating a new paragraph  
9 (viii), 9-4-714(a)(v), 21-17-105 by creating a new subsection  
10 (h) and 21-18-202(a)(iii) are amended to read:

11

12 **9-4-204. Funds established; use thereof.**

13

14 (u) Other funds defined as follows shall be classified  
15 by the state auditor pursuant to subsections (s) and (t) of  
16 this section:

17

18 (viii) Hathaway expand Wyoming scholarship  
19 endowment fund - to consist of funds appropriated or  
20 designated by law, or by gift from whatever source. In  
21 accordance with Wyoming Constitution Article 15, Section 20,  
22 monies within the fund shall not be expended and may be  
23 invested in the same manner as other permanent funds of the



1 state. Earnings from investment of monies within the fund  
2 shall be distributed and expended as provided by law.

3

4 **9-4-714. Definitions.**

5

6 (a) As used in this act:

7

8 (v) "Permanent funds" means the permanent Wyoming  
9 mineral trust fund under W.S. 9-4-204(u)(iii), the Wyoming  
10 permanent land fund under W.S. 9-4-204(u)(iv), the excellence  
11 in higher education endowment fund under W.S. 9-4-204(u)(vi),  
12 ~~and~~ the Hathaway student scholarship endowment fund under  
13 W.S. 9-4-204(u)(vii) and the Hathaway expand Wyoming  
14 scholarship endowment fund under W.S. 9-4-204(u)(viii);

15

16 **21-17-105. Tuition to be as nearly free as possible;**  
17 **number, qualifications and selection of students for reduced**  
18 **tuition; tuition for veterans, their spouses and children;**  
19 **reciprocal residency.**

20

21 (h) Trustees shall through regulation provide that  
22 students receiving a Hathaway expand Wyoming scholarship in  
23 any amount shall qualify for resident tuition at the

1 university each semester the student receives the  
2 scholarship.

3

4 **21-18-202. Powers and duties of the commission.**

5

6 (a) The commission shall perform the following general  
7 functions:

8

9 (iii) Establish residency requirements, which  
10 shall include provisions for military veterans, eligible  
11 individuals and covered individuals as described in 38 U.S.C.  
12 3679(c)(2) consistent with the requirements of W.S.  
13 21-17-105(e). The commission shall provide that students  
14 receiving a Hathaway expand Wyoming scholarship in any amount  
15 shall qualify for resident tuition each semester the student  
16 receives the scholarship;

17

18 **Section 3.** Notwithstanding W.S. 21-16-1312 as created  
19 by this act and, no Hathaway expand Wyoming scholarships shall  
20 be awarded until the state treasurer certifies to the  
21 department of education the balance of the Hathaway expand  
22 Wyoming scholarship endowment fund is equal to or greater  
23 than ten million dollars (\$10,000,000.00). Once that

1 threshold has been reached Hathaway expand Wyoming  
2 scholarships shall be awarded pursuant to W.S. 21-16-1312.

3

4       **Section 4.** Notwithstanding W.S. 21-16-1312(f) as  
5 created by this act, earnings from the Hathaway expand Wyoming  
6 scholarship endowment fund under W.S. 9-4-204(u)(viii), as  
7 created by this act, shall be deposited in the Hathaway expand  
8 Wyoming scholarship endowment fund until the state treasurer  
9 certifies to the department of education the balance of the  
10 Hathaway expand Wyoming scholarship endowment fund is equal  
11 to or greater than ten million dollars (\$10,000,000.00).

12

13       **Section 5.** This act is effective July 1, 2019.

14

15

(END)