

HOUSE BILL NO. HB0153

Hathaway expand Wyoming scholarships.

Sponsored by: Representative(s) Harshman, Brown, Kinner,
Miller, Northrup, Paxton and Walters and
Senator(s) Perkins 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,
4 eligibility requirements and other elements of the
5 scholarships; providing for resident tuition for
6 scholarship recipients; creating a selection committee;
7 creating an account; providing applicability; and providing
8 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
5 adopted by the department. Scholarship recipients shall be
6 selected by a committee comprised of the governor, state
7 superintendent of public instruction, president of the
8 University of Wyoming and executive director of the
9 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
13 Wyoming scholarship. Minimum initial qualifications for a
14 Hathaway expand Wyoming scholarship shall be all initial
15 requirements applicable to a Hathaway honor scholarship,
16 other than Wyoming residency and graduation from a high
17 school located in Wyoming. In addition to those
18 requirements, recipients shall have:

19

20 (i) A minimum cumulative high school GPA of 3.75
21 and a score equal to or greater than the 2015-2016 national
22 percentile rank of ninety-six (96) on an examination
23 administered throughout the United States and relied upon

1 by institutions of higher education to determine acceptance
2 of students for attendance;

3

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

9

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

1 Wyoming for recipients of a trustee scholarship. Hathaway
2 expand Wyoming scholarships may be reduced in the same
3 manner and to lower levels as provided for Hathaway honor
4 scholarships for failure to meet continuing eligibility
5 requirements.

6

7 (d) Scholarships under this section shall not be
8 subject to the provisions of W.S. 21-16-1308, but shall be
9 administered by the department in accordance with the
10 provisions of this section and the following:

11

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

19

20 (ii) Eligible institutions shall provide
21 information required by the department as necessary to
22 fulfill its duties under this section;

23

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

10

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

19

20 (v) The same information required to be reported
21 under W.S. 21-16-1308 for Hathaway opportunity, performance
22 and honor scholarships shall be reported for scholarships
23 awarded under this section.

1

2 (e) Before awarding a scholarship under this section,
3 the department shall obtain an agreement from each student,
4 or the student's guardian, under which the student agrees
5 to:

6

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

17

18 (ii) Repay all scholarship amounts provided
19 pursuant to this section, together with interest which
20 shall begin accruing four (4) years after execution of the
21 agreement. However, interest shall begin to accrue
22 immediately upon the department determining that the
23 student has withdrawn from the Wyoming institution of

1 higher education or is otherwise not making satisfactory
2 academic progress toward completion of a degree or program.
3 Money expended under this section shall accrue at an annual
4 interest rate equal to that charged for federal Stafford
5 loans at the time interest begins to accrue, which rate
6 shall be adjusted annually to match the federal Stafford
7 loan rate. In no event shall the interest rate be greater
8 than eight percent (8%). Any amounts repaid by scholarship
9 recipients shall be deposited to the Hathaway student
10 scholarship endowment fund created by W.S. 9-4-204(u) (vii).

11

12 **Section 2.** W.S. 21-16-1302(a), 21-16-1309(b) (i) and
13 (ii), 21-17-105 by creating a new subsection (h) and
14 21-18-202(a) (iii) are amended to read:

15

16 **21-16-1302. Hathaway scholarship expenditure account**
17 **created; reserve account created; use and appropriation of**
18 **funds.**

19

20 (a) The Hathaway scholarship expenditure account is
21 created to consist of earnings from the Hathaway student
22 scholarship endowment fund created by W.S. 9-4-204(u) (vii)
23 and such other funds appropriated by the legislature to the

1 expenditure account. Eighty percent (80%) of all monies
2 deposited to the expenditure account under this section
3 shall be available for scholarships under W.S. 21-16-1304,
4 ~~and 21-16-1305~~ and 21-16-1312. Twenty percent (20%) of all
5 monies deposited to the expenditure account under this
6 section shall be available for scholarships under W.S.
7 21-16-1306. Monies within the expenditure account are
8 continuously appropriated to the state treasurer for
9 distribution to eligible institutions based on scholarships
10 awarded under this article. All unexpended and
11 unencumbered monies within the expenditure account at the
12 end of each fiscal year shall be deposited by the state
13 treasurer to the Hathaway student scholarship reserve
14 account.

15

16 **21-16-1309. Scholarship amounts.**

17

18 (b) To the extent sufficient funds are not available
19 in the expenditure account to fund all scholarships as
20 provided under this article:

21

22 (i) Funds available for scholarships under W.S.
23 21-16-1304, ~~and 21-16-1305~~ and 21-16-1312 shall be used for

1 scholarships under W.S. 21-16-1306 after all scholarships
2 under W.S. 21-16-1304, ~~and~~ 21-16-1305 and 21-16-1312 have
3 been paid;

4

5 (ii) Funds available for scholarships under W.S.
6 21-16-1306 shall be used for scholarships under W.S.
7 21-16-1304, ~~and~~ 21-16-1305 and 21-16-1312 after all
8 scholarships under W.S. 21-16-1306 have been paid;

9

10 **21-17-105. Tuition to be as nearly free as possible;**
11 **number, qualifications and selection of students for**
12 **reduced tuition; tuition for veterans, their spouses and**
13 **children; reciprocal residency.**

14

15 (h) Trustees shall through regulation provide that
16 students receiving a Hathaway expand Wyoming scholarship in
17 any amount shall qualify for resident tuition at the
18 university each semester the student receives the
19 scholarship.

20

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

22

1 (a) The commission shall perform the following
2 general functions:

3
4 (iii) Establish residency requirements, which
5 shall include provisions for military veterans, their
6 spouses and children consistent with the requirements of
7 W.S. 21-17-105(e). The commission shall provide that
8 students receiving a Hathaway expand Wyoming scholarship in
9 any amount shall qualify for resident tuition each semester
10 the student receives the scholarship;

11
12 **Section 3.** There is created the Hathaway expand
13 Wyoming scholarship account within the Hathaway student
14 scholarship endowment fund. For accounting and investing
15 purposes only the scholarship account shall be treated as a
16 separate account. The state treasurer is authorized to
17 accept private monetary gifts for the account. The Hathaway
18 expand Wyoming scholarship account shall exist until the
19 state treasurer certifies to the department of education
20 the balance of the Hathaway expand Wyoming scholarship
21 account is equal to or greater than five million dollars
22 (\$5,000,000.00). Once the balance of the Hathaway expand
23 Wyoming scholarship account is equal to or greater than

1 five million dollars (\$5,000,000.00), the funds within the
2 account shall be treated as funds of the Hathaway student
3 scholarship endowment fund and the Hathaway expand Wyoming
4 scholarship account shall cease to exist.

5
6 **Section 4.** Notwithstanding W.S. 21-16-1312 as created
7 by this act, no Hathaway expand Wyoming scholarships shall
8 be awarded until the state treasurer certifies to the
9 department of education the balance of the Hathaway expand
10 Wyoming scholarship account is equal to or greater than
11 five million dollars (\$5,000,000.00). Once that threshold
12 has been reached and the account has ceased to exist
13 pursuant to section 3 of this act, Hathaway expand Wyoming
14 scholarships shall be awarded pursuant to W.S. 21-16-1312.

15

16 **Section 5.** This act is effective July 1, 2018.

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18

(END)