

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5451**

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

3 Sec. 2. As used in this act:

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

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

8 (c) "Course of study" means an individual class, or group of
9 classes, in which an eligible person is enrolled for the purpose of

1 obtaining a not-yet-completed training program, obtaining a not-
2 yet-completed certificate program, or obtaining a not-yet-completed
3 associate, bachelor's, or master's degree.

4 (d) "Eligible educational institution" means a public or
5 private college, university, vocational school, technical school,
6 or trade school located in this state.

7 (e) "Eligible person" means a member of the Michigan national
8 guard who meets all of the following conditions:

9 (i) Is in active service.

10 (ii) Is not absent without leave or under charges described in
11 the Michigan code of military justice of 1980, 1980 PA 523, MCL
12 32.1001 to 32.1148.

13 (iii) Maintains a minimum grade point average of at least 2.0 on
14 a 4.0 scale.

15 (iv) Any other criteria determined by the adjutant general
16 consistent with Michigan national guard recruiting and retention
17 requirements.

18 (f) "Fund" means the Michigan national guard tuition
19 assistance fund created in section 4.

20 (g) "Tuition" means the cost of a course of study at an
21 eligible educational institution, including the cost of
22 instructional fees, laboratory fees, computer fees, and other fees
23 directly related to that eligible person's specific course of study
24 at that eligible educational institution. Tuition does not include
25 the cost of books and study materials.

26 (h) "Tuition assistance program" means the Michigan national
27 guard tuition assistance program created in section 3.

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

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

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

18 (4) If an eligible person has enrolled in an eligible
19 educational institution and has not applied for and received
20 tuition assistance from the tuition assistance program, the
21 eligible person may apply for tuition assistance for tuition paid
22 to the eligible educational institution in that current academic
23 year. The adjutant general shall approve the application if the
24 applicant is an eligible person and if there is sufficient money in
25 the fund to cover the amount of tuition assistance determined to be
26 available under this subsection by the adjutant general in that
27 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 shall apply to all
4 eligible 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 tuition assistance program applies to an eligible
10 person notwithstanding any other educational incentive or benefit
11 received by the eligible person under any other educational
12 assistance program provided by any other law.

13 (7) Upon completion of a course of study, an eligible person
14 who successfully applied for and received tuition assistance under
15 subsection (3) or (4) shall provide evidence of attendance and
16 completion of the course of study in a manner prescribed by the
17 adjutant general.

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

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

25 (2) The state treasurer may receive money or other assets from
26 any source for deposit into the fund. The state treasurer shall
27 direct the investment of the fund. The state treasurer shall credit

1 to the fund interest and earnings from the fund.

2 (3) The balance of money in the fund shall not exceed
3 \$10,000,000.00. Any balance of money in the fund in excess of
4 \$10,000,000.00 shall lapse to the general fund. Money in the fund
5 at the close of the fiscal year shall remain in the fund and,
6 except as otherwise provided in this subsection, shall not lapse to
7 the general fund.

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

10 (5) The adjutant general shall expend money from the fund to
11 provide tuition assistance to an eligible person for the cost of
12 tuition to an eligible educational institution under section 3(3)
13 or to reimburse an eligible person for the cost of tuition paid to
14 an eligible educational institution under section 3(4) for a course
15 of study completed by the eligible person.