

SENATE BILL No. 748

August 19, 2009, Introduced by Senators PAPPAGEORGE, ALLEN, ANDERSON, CROPSEY, BIRKHOLZ and OLSHOVE and referred to the Committee on Senior Citizens and Veterans Affairs.

A bill to establish an undergraduate tuition waiver program for certain disabled veterans of the armed forces of the United States; to provide for the administration of the tuition waiver program; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "disabled veterans tuition waiver act".

3 Sec. 3. As used in this act:

4 (a) "Academic year" means the period from August 1 of a
5 calendar year to July 31 of the next calendar year.

6 (b) "Authority" means the Michigan higher education assistance
7 authority created by 1960 PA 77, MCL 390.951 to 390.961.

8 (c) "Eligible institution" means a degree- or certificate-

1 granting public or independent nonprofit college or university,
2 junior college, or community college in this state.

3 (d) "Eligible tuition" means the tuition charged by an
4 eligible institution for an undergraduate class.

5 (e) "Full-time" means enrolled in at least 12 credit hours in
6 an academic semester or the equivalent number of credit hours in a
7 term or quarter, as determined by the authority.

8 (f) "Qualified veteran" means an individual who meets all of
9 the following:

10 (i) Either his or her legal residence immediately before
11 entering military service was in this state and he or she did not
12 later reside outside of this state for a period of more than 2
13 years or he or she established legal residency in this state after
14 entering military service.

15 (ii) He or she served as a member of any branch of the armed
16 forces of the United States and received an honorable discharge or
17 a discharge for physical reasons with an honorable record.

18 (iii) His or her military service included service in the
19 Persian Gulf combat zone as part of Operation Iraqi Freedom or in
20 southern or central Asia as part of Operation Enduring Freedom.

21 (iv) He or she qualifies for disability compensation under 38
22 USC 1110 or 1131.

23 (g) "Undergraduate class" means a class or course that
24 provides a student with academic credit applicable toward a
25 bachelor's or associate's degree from an eligible institution.

26 Sec. 5. The veterans tuition waiver program is created, to be
27 administered by the authority. The authority shall do all of the

1 following:

2 (a) Provide tuition waivers at eligible institutions for
3 qualified veterans under this act.

4 (b) Develop a tuition waiver agreement to be entered into by a
5 tuition waiver recipient and the eligible institution that contains
6 the terms of a tuition waiver made under this act and the rights
7 and obligations of the recipient and the eligible institution.

8 (c) Promulgate rules to implement and administer this act
9 under the administrative procedures act of 1969, 1969 PA 306, MCL
10 24.201 to 24.328. The rules may include additional standards of
11 eligibility for qualified veterans to receive tuition waivers under
12 this act.

13 Sec. 7. (1) Beginning in the 2010-2011 academic year, an
14 eligible institution that agrees to participate in the tuition
15 waiver program established by this act shall waive tuition in an
16 amount determined under subsection (2) for any qualified veteran
17 who meets all of the following requirements:

18 (a) Is enrolled in that academic year as a full-time student
19 in undergraduate classes at an eligible institution.

20 (b) Is a United States citizen or permanent resident of the
21 United States.

22 (c) Has resided continuously in this state for the 12 months
23 immediately preceding the date of his or her application and is not
24 a resident of any other state.

25 (d) Has maintained a cumulative grade point average of at
26 least 2.0 in any undergraduate classes he or she completed at any
27 eligible institution in any previous academic years.

1 (e) Has signed a written tuition waiver agreement with the
2 eligible institution.

3 (f) Has provided the eligible institution with a service-
4 connected disability rating notification letter from the federal
5 department of veterans affairs that establishes his or her
6 disability rating for purposes of 38 USC 1110 or 1131.

7 (g) Meets any other eligibility requirements under this act or
8 the rules promulgated under this act.

9 (h) Has not been convicted of a felony involving an assault,
10 physical injury, or death.

11 (2) Except as provided in subsection (3), the amount of a
12 tuition waiver described in subsection (1) in an academic year is
13 an amount equal to 1 of the following percentages of all of the
14 qualified veteran's eligible tuition in that academic year:

15 (a) If his or her disability is rated 10% in the letter
16 provided under subsection (1)(f), 10%.

17 (b) If his or her disability is rated 20% in the letter
18 provided under subsection (1)(f), 20%.

19 (c) If his or her disability is rated 30% in the letter
20 provided under subsection (1)(f), 30%.

21 (d) If his or her disability is rated 40% in the letter
22 provided under subsection (1)(f), 40%.

23 (e) If his or her disability is rated 50% in the letter
24 provided under subsection (1)(f), 50%.

25 (f) If his or her disability is rated 60% in the letter
26 provided under subsection (1)(f), 60%.

27 (g) If his or her disability is rated 70% in the letter

1 provided under subsection (1)(f), 70%.

2 (h) If his or her disability is rated 80% in the letter
3 provided under subsection (1)(f), 80%.

4 (i) If his or her disability is rated 90% in the letter
5 provided under subsection (1)(f), 90%.

6 (j) If his or her disability is rated as total in the letter
7 provided under subsection (1)(f), 100%.

8 (3) A qualified veteran shall not receive tuition waiver
9 assistance under this act in more than 4 academic years.

10 Sec. 9. (1) Beginning in the 2010-2011 academic year, within
11 60 days after the end of an academic year, an eligible institution
12 shall apply to the authority for reimbursement of tuition waived
13 under this act in that academic year. The application shall include
14 the total number of qualified veterans whose tuition was waived;
15 the total amount of reimbursement requested by the eligible
16 institution; and an itemization of the waivers that includes the
17 name of each qualified veteran receiving a tuition waiver, the
18 amount of that waiver, the qualified veteran's grade point average
19 for the academic year, the qualified veteran's cumulative grade
20 point average, the qualified veteran's transcript for the academic
21 year, and a certification that the qualified veteran meets the
22 eligibility requirements for tuition reimbursement under this act
23 in the amount requested by the eligible institution.

24 (2) The authority shall verify the amount of reimbursement to
25 which an eligible institution is entitled and report that
26 information to the house and senate appropriation subcommittees on
27 higher education and community colleges.

1 (3) The legislature shall appropriate money for reimbursement
2 to the eligible institution if the institution receives annual
3 appropriations from this state or to the authority for distribution
4 to the eligible institution if the institution does not receive
5 annual appropriations from this state. Money appropriated under
6 this subsection shall be used only for tuition waivers under this
7 act.