

SENATE BILL NO. 1140

September 07, 2022, Introduced by Senator RUNESTAD and referred to the Committee on Education and Career Readiness.

A bill to amend 1976 PA 174, entitled

"An act to provide free tuition for state resident North American Indians in Michigan public community colleges, public universities, and certain federal tribally controlled community colleges; and to prescribe certain powers and duties of certain state departments, commissions, and agencies,"

by amending sections 1, 2, and 2a (MCL 390.1251, 390.1252, and 390.1252a), section 1 as amended by 1993 PA 106.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) A ~~Michigan~~ public community college or public
2 university **in this state** or a federal tribally controlled community

1 college described in subsection (2) shall waive tuition for any
2 North American Indian who ~~qualifies~~ **meets the following**
3 **qualifications:**

4 (a) **Is a member of a tribe that is in compliance with all**
5 **compacts in effect, if any, between the tribe and this state.**

6 (b) **Is qualified for admission at the educational institution**
7 **as a full-time, part-time, or summer school student. ~~and is~~**

8 (c) **Is a legal resident of ~~the~~ **this** state for ~~not less than 12~~**
9 **at least 48 consecutive months.**

10 (d) **Attended high school in this state for all of grades 9**
11 **through 12.**

12 (e) **Graduated from high school not more than 10 years before**
13 **the first day of classes for which the tuition waiver applies.**

14 (f) **Is enrolled in a course of study at the educational**
15 **institution leading to a degree, certificate, or other credential**
16 **not higher than a bachelor's degree.**

17 (g) **Is maintaining satisfactory academic progress as defined**
18 **by the educational institution. For purposes of this subdivision,**
19 **satisfactory academic progress as described in 20 USC 1091(c) is**
20 **sufficient.**

21 (h) **Has completed not more than 130 credits of postsecondary**
22 **education.**

23 (i) **Is a member of a household with an annual household income**
24 **of not more than 500% of the federal poverty level, as determined**
25 **under the poverty guidelines revised periodically and published in**
26 **the Federal Register by the Secretary of the United States**
27 **Department of Health and Human Services under the Secretary's**
28 **authority to revise the poverty line under 42 USC 9902.**

29 (2) A federal tribally controlled community college may

1 participate in the tuition waiver program under this act and be
 2 eligible for reimbursement under section 2a if it meets all of the
 3 following:

4 (a) Is recognized under the tribally controlled community
 5 college assistance act of 1978, Public Law 95-471, 92 ~~Stat.~~**Stat**
 6 1325.

7 (b) Is determined by the department of education to meet the
 8 requirements for accreditation by a recognized regional accrediting
 9 body.

10 **(c) Is located in this state.**

11 Sec. 2. For the purposes of this act, "North American Indian"
 12 means ~~a person~~**an individual** who is not less than 1/4 quantum blood
 13 Indian as certified by the ~~person's~~**individual's** tribal association
 14 and verified by the ~~Michigan commission on Indian~~
 15 ~~Affairs.~~**department of civil rights.**

16 Sec. 2a. **(1)** The ~~Michigan commission on Indian Affairs~~
 17 **department of civil rights** shall annually, upon application,
 18 ~~therefore,~~ reimburse each institution for the total amount of
 19 tuition waived during the prior fiscal year under section 1. ~~of~~
 20 ~~this act.~~ The ~~commission~~**department of civil rights** shall report to
 21 the legislature annually the number of ~~American Indians for whom~~
 22 ~~tuition has been waived~~**tuition waiver applications approved** at
 23 each institution and the total amounts to be paid under this act,
 24 **as provided in section 268 of the state school aid act of 1979,**
 25 **1979 PA 94, MCL 388.1868.**

26 **(2) This act does not guarantee an individual a right to the**
 27 **benefits provided under this act.**