

Act No. 33
Public Acts of 2023
Approved by the Governor
May 20, 2023
Filed with the Secretary of State
May 22, 2023
EFFECTIVE DATE: May 22, 2023

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Reps. Conlin, Wilson, Tsernoglou, Rheingans, Paiz, Hoadley, Mentzer, McFall, Fitzgerald, Bezotte, Morgan, Markkanen, Kunse, Haadsma, Breen, Tyrone Carter, Martus, MacDonell, Koleszar, Hood, Alexander, McKinney and Scott

ENROLLED HOUSE BILL No. 4199

AN ACT to amend 2014 PA 259, entitled “An act to provide for tuition assistance at certain educational institutions for Michigan national guard members; and to prescribe duties for certain state officials,” by amending the title and sections 3 and 4 (MCL 32.433 and 32.434), section 3 as amended by 2016 PA 531.

The People of the State of Michigan enact:

TITLE

An act to provide for tuition assistance at certain educational institutions for Michigan National Guard members and certain other individuals; and to provide for the powers and duties of certain state governmental officers and entities.

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

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

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

(4) If an eligible person has enrolled in an eligible educational institution and has not applied for and received tuition assistance from the tuition assistance program, the eligible person may apply for tuition assistance for tuition paid to the eligible educational institution in that current academic year. The adjutant general shall approve the application if the applicant is an eligible person and if there is sufficient money in the fund to cover the amount of tuition assistance determined to be available under this subsection by the adjutant general in that academic year. The adjutant general shall determine the amount of tuition assistance that may be provided under this subsection in any academic year. The amount of tuition assistance determined by the adjutant general under this subsection applies to all eligible persons.

(5) The tuition assistance program applies to any course of study that is intended to culminate in vocational or technical training, a certificate, or the eligible person's first associate degree, bachelor's degree, or master's degree.

(6) The adjutant general may make a tuition assistance distribution under this section to either the eligible person or the eligible education institution, and may determine when the distribution is made.

(7) Upon completion of a course of study, an eligible person who successfully applied for tuition assistance under subsection (3) or (4) must provide evidence of attendance and completion of the course of study with a minimum grade point average of 2.0 on a 4.0 scale, as applicable, in that current semester, in a manner prescribed by the adjutant general.

(8) If an eligible person who received tuition assistance under subsection (3) or who received reimbursement for the cost of tuition under subsection (4) did not complete the course of study for which it was granted, that eligible person must reimburse the fund in an amount and in a manner prescribed by the adjutant general unless the eligible person was deployed in a state or federal status that resulted in the eligible person's inability to complete the course of study. In that case, the matter must be determined by the adjutant general.

(9) The adjutant general may establish a policy that allows 1 or more of the following individuals who are family members of an eligible person to utilize the eligible person's tuition assistance established under this act, in a manner prescribed by the adjutant general and consistent with the requirements of this act that are applicable to the eligible person:

(a) A lawfully married spouse.

(b) A dependent child, stepchild, or legally adopted child who has graduated high school or obtained a high school diploma equivalent certificate, or who has turned 18 years of age, and who must use the eligible person's tuition assistance before turning 26 years of age.

Sec. 4. (1) The Michigan National Guard tuition assistance fund is created within the state treasury.

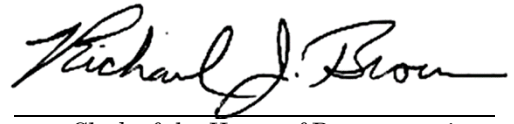
(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from the fund.

(3) The balance of money in the fund must not exceed \$15,000,000.00. Any balance of money in the fund in excess of \$15,000,000.00 lapses to the general fund. Money in the fund at the close of the fiscal year remains in the fund and, except as otherwise provided in this subsection, does not lapse to the general fund.

(4) The department of military and veterans affairs is the administrator of the fund for auditing purposes.

(5) The adjutant general shall expend money from the fund to provide tuition assistance to an eligible person, or other individual described in section 3(9), for the cost of tuition to an eligible educational institution under section 3(3) or to reimburse an eligible person, or other individual described in section 3(9), for the cost of tuition paid to an eligible educational institution under section 3(4) for a course of study completed by the eligible person, or other individual described in section 3(9).

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor