

## 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. The state treasurer is  
15 authorized to accept private monetary gifts for the  
16 account. The Hathaway expand Wyoming scholarship account  
17 shall exist until the state treasurer certifies to the  
18 department of education the balance of the Hathaway expand  
19 Wyoming scholarship account is equal to or greater than  
20 five million dollars (\$5,000,000.00). Once the balance of  
21 the Hathaway expand Wyoming scholarship account is equal to  
22 or greater than five million dollars (\$5,000,000.00), the  
23 funds within the account shall be treated as funds of the

1 Hathaway student scholarship endowment fund and the  
2 Hathaway expand Wyoming scholarship account shall cease to  
3 exist.

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

14  
15 **Section 5.** This act is effective July 1, 2018.

16

17

(END)