

- 1 Page 1-above line 1 In the catch title: Delete "Wyoming" and
- 2 insert "Wyoming's tomorrow and"; delete
- 3 "program" and insert "programs".
- 4
- 5 Page 1-line 2 After "program" insert "and Wyoming's tomorrow
- 6 scholarship program; providing for
- 7 administration, oversight and for rulemaking;
- 8 requiring reviews and reports; creating
- 9 accounts and funds;".
- 10
- 11 Page 1-line 5 After "the" insert "learn while you earn".
- 12
- 13 Page 1-line 6 Delete "funding of the program" and insert
- 14 "for funding".
- 15
- 16 Page 1-line 8 Before "programs" insert "learn while you
- 17 earn".
- 18
- 19 Page 1-line 10 After "employers;" delete balance of line.
- 20
- 21 Page 1-line 11 Delete entirely.
- 22
- 23 Page 1-line 12 Delete the line through "program;"; after "for
- 24 the" insert "learn while you earn".
- 25
- 26 Page 1-line 13 Delete "a".
- 27
- 28 Page 1-line 14 Delete "appropriation" and insert
- 29 "appropriations".
- 30
- 31 Page 2-line 3 After "W.S." insert "21-16-1701 through
- 32 21-16-1707 and".
- 33
- 34 Page 2-after line 4 Insert:
- 35
- 36 "ARTICLE 17
- 37 WYOMING'S TOMORROW SCHOLARSHIP PROGRAM
- 38
- 39 **21-16-1701. Definitions.**
- 40
- 41 (a) As used in this article:
- 42
- 43 (i) "Academic term" means the fall semester or term or
- 44 the spring semester or term;

1  
2 (ii) "Academic year" means two (2) consecutive  
3 semesters or terms and is the period of time a full-time student  
4 is expected to complete the equivalent of at least two (2)  
5 semesters of academic work;

6  
7 (iii) "Certificate" means a credential other than a  
8 degree. A "certificate" indicates satisfactory completion of  
9 training in an academic year program of study offered by an  
10 eligible institution;

11  
12 (iv) "Cost of attendance" means the sum cost of  
13 tuition, mandatory fees, room and board, books and supplies, travel  
14 and personal expenses to attend an eligible institution;

15  
16 (v) "Degree" means a baccalaureate or an associate  
17 degree other than a certificate;

18  
19 (vi) "Eligible institution" means the University of  
20 Wyoming or a Wyoming community college;

21  
22 (vii) "Equivalent of a full-time semester" means twelve  
23 (12) semester hours in a semester;

24  
25 (viii) "Other academic period" means an educational  
26 term other than the fall semester or spring semester and includes  
27 a summer term or January term;

28  
29 (ix) "Semester hour" means each nonremedial semester  
30 hour attempted for credit toward a postsecondary degree or  
31 certificate;

32  
33 (x) "Title IV" means Title IV of the federal Higher  
34 Education Act of 1965, as amended;

35  
36 (xi) "Unmet financial need" means the cost of  
37 attendance minus the sum of expected family contribution and all  
38 federal, state, local, institutional and privately funded  
39 scholarships or grants received by the student, all as determined  
40 by the eligible institution.

41  
42 **21-16-1702. Wyoming tomorrow scholarship expenditure**  
43 **account created; reserve account created; use and appropriation of**  
44 **funds.**

45  
46 (a) The Wyoming's tomorrow scholarship expenditure account  
47 is created to consist of all earnings from the Wyoming's tomorrow

1 scholarship endowment fund created by W.S. 9-4-204(u)(ix) and such  
2 other funds appropriated by the legislature to the expenditure  
3 account. Monies within the expenditure account are continuously  
4 appropriated to the state treasurer for distribution to eligible  
5 institutions based on scholarships awarded under this article. All  
6 unexpended and unencumbered monies within the expenditure account  
7 at the end of each fiscal year shall be deposited by the state  
8 treasurer to the Wyoming's tomorrow scholarship reserve account.

9  
10 (b) There is created the Wyoming's tomorrow scholarship  
11 reserve account. The reserve account shall consist of those monies  
12 deposited to the account pursuant to subsection (a) of this section  
13 and such other funds appropriated by the legislature to the reserve  
14 account. Interest and other earnings on funds within the reserve  
15 account shall be credited to the reserve account. To the extent  
16 funds within the Wyoming's tomorrow scholarship expenditure  
17 account are insufficient in any fiscal year to fully fund  
18 scholarships awarded under this article, monies within the reserve  
19 account shall be deposited by the state treasurer to the  
20 expenditure account for distribution to eligible institutions to  
21 fund those scholarships. As soon as possible after the end of each  
22 fiscal year, the state treasurer shall transfer monies from this  
23 reserve account to the Wyoming's tomorrow scholarship endowment  
24 fund to the extent monies within the reserve account are in excess  
25 of the greater of twelve million dollars (\$12,000,000.00) or an  
26 amount equal to nine percent (9%) of the previous five (5) year  
27 average market value of the Wyoming's tomorrow scholarship  
28 endowment fund, calculated from the first day of the fiscal year.  
29 The state treasurer shall report not later than November 1, of  
30 each year to the joint education interim committee and the select  
31 committee on capital financing and investments the amount of funds  
32 within the reserve account at the end of the previous fiscal year  
33 and as of July 1, of the current fiscal year.

34  
35 **21-16-1703. Wyoming's tomorrow scholarship program;**  
36 **eligibility requirements.**

37  
38 (a) There is created the Wyoming's tomorrow scholarship  
39 program.

40  
41 (b) Under the Wyoming's tomorrow scholarship program,  
42 subject to availability of funds as determined by the legislature,  
43 the state shall provide a scholarship pursuant to W.S. 21-16-1704  
44 to any student who has been accepted by and enrolls in an eligible  
45 institution to pursue a degree or certificate, and who meets the  
46 following qualifications:

1           (i) The student has demonstrated Wyoming residency for  
2 not less than three (3) years immediately preceding application,  
3 as determined by the eligible institution at which the student is  
4 enrolled;

5  
6           (ii) The student is twenty-four (24) years of age or  
7 older;

8  
9           (iii) The student has not earned a baccalaureate  
10 degree;

11  
12           (iv) The student has completed and filed a free  
13 application for federal student aid for the academic year for which  
14 the student is applying for a scholarship, has unmet financial  
15 need and qualifies for federal financial aid;

16  
17           (v) The student is not eligible for a Hathaway  
18 scholarship under article 13 of this chapter;

19  
20           (vi) The student has registered with the department of  
21 workforce services for applicable training assistance;

22  
23           (vii) The student agrees to:

24  
25           (A) Actively engage in work in Wyoming for one (1)  
26 year or attend graduate school at the University of Wyoming for  
27 one (1) year for each four (4) full-time academic semesters or  
28 portions thereof in which a Wyoming's tomorrow scholarship was  
29 received. This requirement shall be completed within four (4) years  
30 after the completion of the last semester in which a Wyoming's  
31 tomorrow scholarship was received; or

32  
33           (B) Repay all Wyoming's tomorrow scholarship  
34 amounts received, together with interest which shall begin  
35 accruing four (4) years after execution of the agreement. However,  
36 interest shall begin to accrue immediately upon the student  
37 withdrawing from the eligible institution or becoming ineligible  
38 for the scholarship under W.S. 21-16-1704(c). Scholarship amounts  
39 shall accrue at an annual interest rate equal to that charged for  
40 federal direct student loans at the time interest begins to accrue,  
41 which rate shall be adjusted annually to match the federal direct  
42 student loan rate. In no event shall the interest rate be greater  
43 than eight percent (8%). Any amounts repaid by Wyoming's tomorrow  
44 scholarship recipients shall be deposited to the Wyoming's  
45 tomorrow scholarship expenditure account. The University of  
46 Wyoming and the community college commission may create exceptions  
47 to the requirements of this paragraph for good cause shown.

1  
2 (c) No student shall be eligible for a scholarship under  
3 this article for more than the equivalent of four (4) full-time  
4 semesters.

5  
6 (d) A student is not eligible for a scholarship under this  
7 article if the student:

8  
9 (i) Is not a United States citizen or a permanent  
10 resident alien who meets the definition of an eligible noncitizen  
11 under federal Title IV requirements or requirements of a subsequent  
12 similar federal enactment. An eligible institution may grant a  
13 student of the eligible institution an exception to this limitation  
14 for good cause shown;

15  
16 (ii) Is in default on a federal Title IV education loan;

17  
18 (iii) Owes a refund under a federal Title IV student  
19 financial aid program or a subsequently enacted similar federal  
20 student financial aid program, or a student financial aid program  
21 administered through the state;

22  
23 (iv) Is incarcerated;

24  
25 (v) Has been convicted of a felony in this state or  
26 another jurisdiction unless the student has had rights restored  
27 under W.S. 7-13-105 or 7-13-1502. An eligible institution may grant  
28 a student of the eligible institution an exception for good cause  
29 shown; or

30  
31 (vi) Does not otherwise qualify under this article for  
32 a scholarship.

33  
34 **21-16-1704. Wyoming's tomorrow scholarships.**

35  
36 (a) Any student who meets the criteria under W.S. 21-16-1703  
37 is eligible to receive a scholarship to pursue a degree or  
38 certificate for:

39  
40 (i) Not more than one thousand five hundred dollars  
41 (\$1,500.00) per semester or other academic term for unmet financial  
42 need at an eligible institution if enrolled for twelve (12) or  
43 more semester hours;

44  
45 (ii) The amount provided under paragraph (i) of this  
46 subsection times a fraction that represents the student's  
47 enrollment status.

1  
2 (b) Scholarships under this section shall be for a maximum  
3 of the equivalent of four (4) full-time semesters. No student shall  
4 receive more than a total of six thousand dollars (\$6,000.00) in  
5 unmet financial need under this article.  
6

7 (c) To remain eligible for the scholarship under this  
8 section, the student shall:  
9

10 (i) Make satisfactory academic progress toward a degree  
11 or certificate by completing at least two-thirds (2/3) of attempted  
12 semester hours in any academic term or other academic period,  
13 maintain a cumulative grade point average of at least 2.0 as  
14 evaluated at the end of each spring academic term and meet such  
15 other criteria as established by the eligible institution to ensure  
16 the student earns a degree or certificate in a timely manner;  
17

18 (ii) Maintain continuous enrollment for not less than  
19 two (2) semesters in each successive academic year.  
20

21 (d) A student receiving a Wyoming's tomorrow scholarship who  
22 fails to meet the requirements of subsection (c) of this section  
23 shall be ineligible to receive a scholarship under this article.  
24

25 **21-16-1705. Administration; rules and regulations.**  
26

27 (a) This article shall be administered jointly by the  
28 University of Wyoming and the community college commission in  
29 accordance with the following:  
30

31 (i) Students shall apply for scholarships under this  
32 article with the eligible institution at the time of applying for  
33 admission or in any event prior to the beginning of the semester  
34 at the eligible institution. The application shall contain  
35 information as required by rule of the university and commission.  
36 The application shall require each applicant to verify under  
37 penalty of false swearing under W.S. 6-5-303, that the applicant  
38 has not been convicted of a felony in this state or another  
39 jurisdiction or that the student has had rights restored under  
40 W.S. 7-13-105 or 7-13-1502;  
41

42 (ii) For students transferring from an eligible  
43 institution to another eligible institution and making application  
44 for continuance of a scholarship, the institution from which the  
45 student is transferring shall at the student's request provide an  
46 official transcript to the new institution and shall provide a

1 list of all semesters of attendance in which a Wyoming's tomorrow  
2 scholarship was received by the student;

3  
4 (iii) Each eligible institution receiving an  
5 application from a student applying for a Wyoming's tomorrow  
6 scholarship shall preliminarily determine the student's  
7 eligibility for the scholarship. Upon final determination of  
8 scholarship eligibility, each community college shall certify to  
9 the commission not later than thirty (30) days after the semester  
10 commences, a list of students enrolled at the institution who  
11 qualify for a scholarship under this article, including the amount  
12 of each scholarship. The university shall certify within  
13 forty-five (45) days after the semester commences a like list for  
14 students enrolled at the university. The director of the community  
15 college commission shall verify within ten (10) days after  
16 receiving all lists from community colleges whether there is any  
17 duplication of students on the community college lists, shall  
18 provide the lists to the university and then the commission and  
19 the university shall certify the amount each college is to receive  
20 under this article. Students attending more than one (1) eligible  
21 institution shall enter into a consortium agreement with the  
22 multiple institutions whereby the student shall designate a home  
23 institution to be paid the entire Wyoming's tomorrow scholarship  
24 amount for which the student qualifies;

25  
26 (iv) For the fall 2022 semester, the state treasurer  
27 shall pay from the expenditure account amounts necessary for all  
28 awarded scholarships. For each subsequent semester, the  
29 university and commission shall determine and certify to the state  
30 treasurer the amount which is equal to seventy-five percent (75%)  
31 of the total amount the eligible institution received during the  
32 preceding semester under this subsection. Not later than September  
33 1 for the fall semester and not later than January 15 for the  
34 spring semester, the state treasurer shall pay from the scholarship  
35 expenditure account the amount certified. The university and  
36 commission shall review the lists provided under paragraph (iii)  
37 of this subsection, determine whether there is any duplication of  
38 students, and determine and certify to the state treasurer the  
39 balance of the amount due under this article to each institution  
40 for the semester. For any duplication, the university and  
41 commission shall determine whether the student is attending more  
42 than one (1) eligible institution. If the student is attending  
43 multiple eligible institutions payment of the Wyoming's tomorrow  
44 scholarship for which the student qualifies shall be made only to  
45 the institution designated as the home institution by the student.  
46 The state treasurer shall pay from the scholarship expenditure  
47 account the balance of the amount due. Payments of the balance due

1 under this paragraph shall be made not later than seventy-five  
2 (75) days after the institution's semester has commenced. Payments  
3 to the university shall be made directly to the university.  
4 Payments to the community colleges shall be made directly to each  
5 college and be reported by the state treasurer to the community  
6 college commission. Should a prepayment under this paragraph  
7 exceed the amount actually due the institution for any semester,  
8 the excess amount shall be calculated by the university and  
9 commission and deducted from the next payment made.

10  
11 (b) The University of Wyoming and the community college  
12 commission shall jointly promulgate rules and regulations  
13 necessary to implement this article.

14  
15 (c) The University of Wyoming and the community college  
16 commission shall establish appropriate annual reporting procedures  
17 for purposes of policy analysis and program evaluation and  
18 providing accurate data to the legislature and governor relative  
19 to the program's impact on the state and on students. The  
20 commission shall submit the annual report to the governor and the  
21 legislature in accordance with W.S. 9-2-1014.

22  
23 (d) The department of audit may conduct an audit of any  
24 eligible institution participating in the scholarship program  
25 under this article to determine compliance with any provision of  
26 this article.

27  
28 **21-16-1706. Additional funding considerations.**

29  
30 (a) To the extent sufficient funds are not available in the  
31 expenditure account to fund all scholarships as provided under  
32 this article:

33  
34 (i) After all funds within the expenditure account have  
35 been expended, funds within the Wyoming's tomorrow scholarship  
36 reserve account shall be used to fund any remaining scholarships  
37 awarded under this article;

38  
39 (ii) If no funds remain available in the expenditure  
40 account or reserve account at the time payment is required to be  
41 made to an institution for any semester, the payment to the  
42 eligible institutions shall be reduced on a first come first served  
43 basis using the student's application date for the scholarship.

44  
45 **21-16-1707. Legislative oversight and authority.**

46

1 Nothing in this article shall be construed to constitute an  
2 entitlement to a scholarship established and funded by the  
3 legislature. Wyoming's tomorrow scholarships shall be subject to  
4 legislative appropriation and the legislature reserves the right  
5 to modify or terminate the program established under this article  
6 at any time."

7  
8 Page 15-line 7 After "W.S." insert "9-4-204(u) by creating a  
9 new paragraph (ix), 9-4-714(a)(v),".

10  
11 Page 15-after line 10 Insert:

12  
13 **"9-4-204. Funds established; use thereof.**

14  
15 (u) Other funds defined as follows shall be classified by  
16 the state auditor pursuant to subsections (s) and (t) of this  
17 section:

18  
19 (ix) Wyoming's tomorrow scholarship endowment fund - to  
20 consist of funds appropriated or designated to the fund by law, or  
21 by gift from whatever source. In accordance with Wyoming  
22 Constitution Article 15, Section 20, monies within the fund shall  
23 not be expended and may be invested in the same manner as other  
24 permanent funds of the state. Earnings from investment of monies  
25 within the fund shall be distributed and expended as provided by  
26 law.

27  
28 **9-4-714. Definitions.**

29  
30 (a) As used in this act:

31  
32 (v) "Permanent funds" means the permanent Wyoming  
33 mineral trust fund under W.S. 9-4-204(u)(iii), the Wyoming  
34 permanent land fund under W.S. 9-4-204(u)(iv), the excellence in  
35 higher education endowment fund under W.S. 9-4-204(u)(vi), the  
36 Hathaway student scholarship endowment fund under W.S.  
37 9-4-204(u)(vii), ~~and~~ the Hathaway expand Wyoming scholarship  
38 endowment fund under W.S. 9-4-204(u)(viii) and the Wyoming's  
39 tomorrow scholarship endowment fund under W.S. 9-4-204(u)(ix);

40  
41 Page 19-line 6 After "act" insert "for the Wyoming learn  
42 while you earn program. Neither the University  
43 of Wyoming nor any Wyoming community college  
44 shall award a Wyoming's tomorrow scholarship  
45 in the 2021-2022 academic year. Subject to the  
46 availability of funds, the university and the  
47 community colleges shall award Wyoming's

1 tomorrow scholarships beginning with the  
2 2022-2023 academic year."." HARSHMAN