

FALLEN OFFICER MEMORIAL SCHOLARSHIP PROGRAM

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tyler Clancy

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill creates the Fallen Officer Memorial Scholarship Program to be administered by the Department of Public Safety.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Fallen Officer Memorial Scholarship Program to be administered by the Department of Public Safety to provide certain funds to children of public safety officers and firefighters who have died in the line of duty; and
- ▶ grants the Department of Public Safety rulemaking authority to administer the program.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

ENACTS:

53-17a-101, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section **53-17a-101** is enacted to read:

29 **CHAPTER 17a. FALLEN OFFICER MEMORIAL SCHOLARSHIP PROGRAM**

30 **53-17a-101. Fallen Officer Memorial Scholarship Program -- Rulemaking.**

31 (1) As used in this section:

32 (a) "Child" means an individual who:

33 (i) is a natural or adopted child of a public safety officer or a firefighter who died in the
34 line of duty; and

35 (ii) was under the age of 25 at the time of the public safety officer's or firefighter's
36 death.

37 (b) "Died in the line of duty" means a death that is classified as a line-of-duty death
38 under the provisions of Section [49-14-102](#), [49-15-102](#), [49-16-102](#), or [49-23-102](#).

39 (c) "Educational-related expenses" includes tuition, fees, books, and other expenses
40 related to obtaining an education.

41 (d) "Firefighter" means the same as that term is defined in Section [34A-3-113](#).

42 (e) "Public safety officer" means an individual who:

43 (i) is employed as:

44 (A) a law enforcement officer in accordance with Section [53-13-103](#);

45 (B) a correctional officer in accordance with Section [53-13-104](#); or

46 (C) a special function officer in accordance with Section [53-13-105](#); and

47 (ii) in the course of the individual's employment, put the individual's life or personal
48 safety at risk.

49 (2) This section creates the Fallen Officer Memorial Scholarship Program, to be
50 administered by the department.

51 (3) Subject to legislative appropriations and Subsection (6), the department shall
52 provide \$1,000 per year for up to four years to an applicant who:

53 (a) is a child of a public safety officer or a firefighter who died in the line of duty;

54 (b) is 17 years old or older;

55 (c) certifies, on a form provided by the department, that the applicant agrees to use the
56 funds entirely for educational-related expenses; and

57 (d) fulfills any other application requirement established by the department.

58 (4) Nothing in this section affects a child's ability to obtain a tuition waiver under

59 Section 53B-8c-103.

60 (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
61 the department may make rules necessary to administer this section, including:

62 (i) setting deadlines for receiving applications and supporting documentation; and

63 (ii) establishing the application process and an appeal process for the Fallen Officer
64 Memorial Scholarship Program.

65 (b) The department shall include a disclosure on all applications and related materials
66 that the amount of funds provided may be subject to funding or be reduced, in accordance with
67 Subsection (6).

68 (6) (a) Subject to future budget constraints, the Legislature shall make an annual
69 appropriation from the Income Tax Fund to the department for the costs associated with the
70 Fallen Officer Memorial Scholarship Program authorized under this section.

71 (b) Notwithstanding the provisions of this section, if the appropriation under this
72 section is insufficient to cover the costs associated with the Fallen Officer Memorial
73 Scholarship Program, the department may:

74 (i) reduce the amount of funds distributed to an applicant; or

75 (ii) distribute funds on a pro rata basis to all eligible applicants who submitted a
76 complete application before the application deadline.

77 **Section 2. Effective date.**

78 This bill takes effect on July 1, 2023.