

Act No. 127  
Public Acts of 2021  
Approved by the Governor  
December 16, 2021  
Filed with the Secretary of State  
December 17, 2021  
EFFECTIVE DATE: December 17, 2021

**STATE OF MICHIGAN  
101ST LEGISLATURE  
REGULAR SESSION OF 2021**

**Introduced by Reps. Koleszar, Mueller, Wozniak, Bezotte, Puri, Clements, Rabhi, Bellino, Brann, Tyrone Carter, Shannon, Breen, Witwer, Tate, Hertel, Slagh, Yaroach, Sowerby, Stone, Kuppa, Sabo, Howell, Marino, Brenda Carter, Weiss, Steckloff and Anthony**

## **ENROLLED HOUSE BILL No. 4247**

AN ACT to amend 1996 PA 195, entitled “An act to provide for a tuition grant program at state public institutions of higher education for children and surviving spouses of Michigan police officers and fire fighters killed in the line of duty; to provide for the administration of that tuition grant program; to prescribe certain powers and duties of state officers, agencies, and departments; and to provide for an appropriation,” by amending sections 2 and 3 (MCL 390.1242 and 390.1243), section 2 as amended by 2016 PA 295 and section 3 as amended by 2012 PA 470.

*The People of the State of Michigan enact:*

Sec. 2. As used in this act:

(a) “Academic year” means the period from September 1 of a calendar year to August 31 of the next calendar year.

(b) “Child” means an individual who is a natural or adopted child of a deceased Michigan police officer or deceased Michigan fire fighter and who was under the age of 21 at the time of the Michigan police officer’s or Michigan fire fighter’s death.

(c) “Department” means the department of treasury.

(d) “Eligible student” means a child or surviving spouse of a Michigan police officer or Michigan fire fighter who was or is killed in the line of duty.

(e) “Eligible tuition” means the tuition charged by a state institution of higher education for an undergraduate class.

(f) “Gift aid” means formal scholarships or grants from sources that do not require repayment.

(g) “Killed” means that the Michigan police officer’s or Michigan fire fighter’s death is the direct and proximate result of a traumatic injury incurred in the line of duty.

(h) “Line of duty” means an action that a Michigan police officer or Michigan fire fighter is obligated or authorized to perform by rule, regulation, condition of employment or service, or law, including, but not limited to, a social, ceremonial, or athletic function that the Michigan police officer or Michigan fire fighter is assigned to or compensated for by the public agency he or she serves.

(i) "Michigan police officer" means a sheriff or sheriff's deputy of a sheriff's department in this state; village or township marshal of a village or township in this state; officer of the police department of any city, village, or township in this state; officer of the Michigan state police; or any other police officer or law enforcement officer trained and licensed or certified under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615.

(j) "Michigan fire fighter" means a member including volunteer members and members paid on call of a fire department, or other organization that provides fire suppression and other fire-related services, of a city, township, village, or county who is responsible for or is in a capacity that includes responsibility for the extinguishment of fires. Michigan fire fighter does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression.

(k) "Occupational disease" means a disease that routinely constitutes a special hazard in, or is commonly regarded as concomitant of, the Michigan police officer's or Michigan fire fighter's occupation.

(l) "State institution of higher education" means a public community or junior college established under section 7 of article VIII of the state constitution of 1963 or part 25 of the revised school code, 1976 PA 451, MCL 380.1601 to 380.1607, or a state university described in section 4, 5, or 6 of article VIII of the state constitution of 1963.

(m) "Survivor's tuition grant" means a tuition grant awarded to an eligible student under this act.

(n) "Traumatic injury" means a wound or the condition of the body caused by external force, including, but not limited to, an injury inflicted by bullet, explosive, sharp instrument, blunt object or other physical blow, fire, smoke, chemical, electricity, climatic condition, infectious disease, radiation, or bacteria, but excluding an injury resulting from stress, strain, or occupational disease.

(o) "Undergraduate class" means a class or course that provides a student with academic credit applicable toward a bachelor or associate degree from a state institution of higher education.

Sec. 3. (1) The police officer's and fire fighter's survivor tuition program is created, to be administered by the department.

(2) Beginning in the 2012-2013 academic year, the department shall provide a survivor's tuition grant in an amount determined by the department under subsection (3) to each eligible student if all of the following requirements are met:

(a) The student applies, qualifies, and is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate at a state institution of higher education.

(b) The student is a legal resident of the state for at least the 12 consecutive months immediately preceding his or her application. For an individual who is a dependent of his or her parent, residency status shall be determined by the parent's residency. For an individual who is not a dependent, residency status is determined in the same manner as under 20 USC 1070 to 1070h.

(c) The student applies to the department for a survivor's tuition grant under this act and provides evidence satisfactory to the department that he or she is an eligible student, that the course or courses for which he or she is seeking a survivor's tuition grant meet the requirements of subsection (3), and that he or she meets the other requirements of this section.

(d) If the student is a child of a Michigan police officer or Michigan fire fighter who was killed in the line of duty, he or she applies for a survivor's tuition grant under subdivision (c) for the first time before the age of 26.

(e) The financial aid officer at the state institution of higher education certifies to the department that the student's eligible tuition expenses exceed the total of all other gift aid available to the student; certifies the amount of that excess; and certifies that the tuition rate or rates used to determine the amount of that excess are not greater than the rate or rates charged to residents of this state.

(f) The student maintains satisfactory academic progress, as defined by the state institution of higher education, for each term or semester in which he or she is enrolled. The satisfactory progress definition used by an institution for federal student assistance programs under 20 USC 1070 to 1070h is acceptable for the purposes of this act.

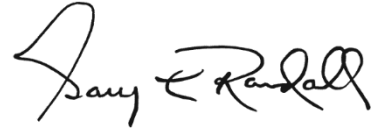
(g) The student has not received a bachelor's degree and has received tuition assistance under this act for fewer than 124 semester credits or 180 term credits at an institution of higher education.

(h) The student has not received a survivor's tuition grant in more than a total of 9 semesters or the equivalent number of terms or quarters.

(3) The amount of a survivor's tuition grant in an academic year is the amount of the student's eligible tuition in that academic year less all other gift aid available to the eligible student. The department may reduce the

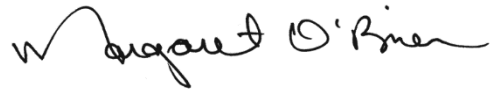
amount of a survivor's tuition grant if it determines that the tuition rate or rates used by the state institution of higher education under subsection (2)(e) to determine the amount of the survivor's tuition grant are greater than the tuition rate or rates charged by the institution in that academic year to residents of this state.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved \_\_\_\_\_

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Governor