

## HOUSE BILL NO. HB0133

Hathaway expand Wyoming scholarships.

Sponsored by: Representative(s) Harshman, Brown and Paxton  
and Senator(s) Anderson, Anselmi-Dalton,  
Bonner, Pappas 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, eligibility  
4 requirements and other elements of the scholarships;  
5 providing for resident tuition for scholarship recipients;  
6 creating a selection committee; creating an account; making  
7 the award of scholarships contingent on funding as specified;  
8 and providing 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 adopted  
5 by the department. Hathaway expand Wyoming scholarship  
6 recipients shall be selected by a committee comprised of the  
7 governor, state superintendent of public instruction,  
8 president of the University of Wyoming and executive director  
9 of the 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 Wyoming  
13 scholarship. Minimum initial qualifications for a Hathaway  
14 expand Wyoming scholarship shall be all initial requirements  
15 applicable to a Hathaway honor scholarship, other than  
16 Wyoming residency and graduation from a high school located  
17 in Wyoming. In addition to those requirements, recipients  
18 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 by

1 institutions of higher education to determine acceptance of  
2 students for attendance;

3

4 (ii) At the time of graduation, be a resident of  
5 a state contiguous to Wyoming and have successfully completed  
6 a curriculum at least as stringent as that imposed under W.S.  
7 21-16-1307 for Hathaway honor scholarships.

8

9 (c) A Hathaway expand Wyoming scholarship shall be for  
10 the student's cost of attendance at an eligible institution,  
11 but not to exceed the maximum dollar amount provided to  
12 students receiving a trustee scholarship at the University of  
13 Wyoming and subject to reduction in accordance with W.S.  
14 21-16-1309(a). No student shall be eligible for a Hathaway  
15 expand Wyoming scholarship for more than the equivalent of  
16 eight (8) full-time semesters. Minimum continuing  
17 eligibility and reinstatement eligibility requirements for a  
18 Hathaway expand Wyoming scholarship shall be the same as  
19 requirements for a Hathaway honors scholarship. These  
20 minimum requirements may be increased by rule of the  
21 department to requirements no more stringent than those  
22 imposed by the University of Wyoming for recipients of a  
23 trustee scholarship. Hathaway expand Wyoming scholarships

1 may be reduced in the same manner and to lower levels as  
2 provided for Hathaway honor scholarships for failure to meet  
3 continuing eligibility requirements.

4

5 (d) Hathaway expand Wyoming scholarships shall not be  
6 subject to the provisions of W.S. 21-16-1308, but shall be  
7 administered by the department in accordance with the  
8 provisions of this section and the following:

9

10 (i) The department shall, in consultation with  
11 University of Wyoming and community college admissions  
12 officers and financial aid officers, promulgate rules  
13 necessary to implement this section. The consultation shall  
14 include development of a means for informing students in  
15 contiguous states of the availability of Hathaway expand  
16 Wyoming scholarships;

17

18 (ii) Eligible institutions shall provide  
19 information required by the department as necessary to  
20 fulfill its duties under this section;

21

22 (iii) Students shall apply for Hathaway expand  
23 Wyoming scholarships with the department at the time of

1 applying for admission or at an earlier time as established  
2 by rule of the department. The application shall contain  
3 information required by rule of the department. The  
4 application shall require each applicant to verify under  
5 penalty of false swearing under W.S. 6-5-303, that the  
6 applicant has not been convicted of a felony in this state or  
7 another jurisdiction;

8

9 (iv) The department shall determine and certify to  
10 the state treasurer the amount of scholarships awarded under  
11 this section for attendance at each eligible institution not  
12 later than September 1 for the fall semester and not later  
13 than January 15 for the spring semester. Upon receipt of the  
14 certification the state treasurer shall pay from the  
15 scholarship expenditure account the amount certified by the  
16 department;

17

18 (v) The same information required to be reported  
19 under W.S. 21-16-1308 for Hathaway opportunity, performance  
20 and honor scholarships shall be reported for Hathaway expand  
21 Wyoming scholarships awarded.

22

1           (e) Before awarding a Hathaway expand Wyoming  
2 scholarship, the department shall obtain an agreement from  
3 each student, or the student's guardian, under which the  
4 student agrees to:

5  
6           (i) Actively engage in work in Wyoming for one (1)  
7 year or attend graduate school at the University of Wyoming  
8 for one (1) year, for every four (4) academic semesters or  
9 portions thereof in which a Hathaway expand Wyoming  
10 scholarship was received. The department shall establish by  
11 rule the commencement of the period for undertaking the  
12 requirements of this paragraph, which period shall begin not  
13 later than one (1) year after the completion of the last  
14 semester in which a Hathaway expand Wyoming scholarship was  
15 received; or

16  
17           (ii) Repay all Hathaway expand Wyoming scholarship  
18 amounts, together with interest which shall begin accruing  
19 four (4) years after execution of the agreement. However,  
20 interest shall begin to accrue immediately upon the  
21 department determining that the student has withdrawn from  
22 the Wyoming institution of higher education or is otherwise  
23 not making satisfactory academic progress toward completion

1 of a degree or program. Money expended under this section  
2 shall accrue at an annual interest rate equal to that charged  
3 for federal direct student loans at the time interest begins  
4 to accrue, which rate shall be adjusted annually to match the  
5 federal direct student loan rate. In no event shall the  
6 interest rate be greater than eight percent (8%). Any amounts  
7 repaid by Hathaway expand Wyoming scholarship recipients  
8 shall be deposited to the Hathaway student scholarship  
9 endowment fund created by W.S. 9-4-204(u)(vii).

10

11 **Section 2.** W.S. 21-16-1302(a), 21-16-1309(b)(i) and  
12 (ii), 21-17-105 by creating a new subsection (h) and  
13 21-18-202(a)(iii) are amended to read:

14

15 **21-16-1302. Hathaway scholarship expenditure account**  
16 **created; reserve account created; use and appropriation of**  
17 **funds.**

18

19 (a) The Hathaway scholarship expenditure account is  
20 created to consist of earnings from the Hathaway student  
21 scholarship endowment fund created by W.S. 9-4-204(u)(vii)  
22 and such other funds appropriated by the legislature to the  
23 expenditure account. Eighty percent (80%) of all monies

1 deposited to the expenditure account under this section shall  
2 be available for scholarships under W.S. 21-16-1304, ~~and~~  
3 21-16-1305 and 21-16-1312. Twenty percent (20%) of all monies  
4 deposited to the expenditure account under this section shall  
5 be available for scholarships under W.S. 21-16-1306. Monies  
6 within the expenditure account are continuously appropriated  
7 to the state treasurer for distribution to eligible  
8 institutions based on scholarships awarded under this  
9 article. All unexpended and unencumbered monies within the  
10 expenditure account at the end of each fiscal year shall be  
11 deposited by the state treasurer to the Hathaway student  
12 scholarship reserve account.

13

14 **21-16-1309. Scholarship amounts.**

15

16 (b) To the extent sufficient funds are not available in  
17 the expenditure account to fund all scholarships as provided  
18 under this article:

19

20 (i) Funds available for scholarships under W.S.  
21 21-16-1304, ~~and~~ 21-16-1305 and 21-16-1312 shall be used for  
22 scholarships under W.S. 21-16-1306 after all scholarships



1 under W.S. 21-16-1304, ~~and~~ 21-16-1305 and 21-16-1312 have  
2 been paid;

3

4 (ii) Funds available for scholarships under W.S.  
5 21-16-1306 shall be used for scholarships under W.S.  
6 21-16-1304, ~~and~~ 21-16-1305 and 21-16-1312 after all  
7 scholarships under W.S. 21-16-1306 have been paid;

8

9 **21-17-105. Tuition to be as nearly free as possible;**  
10 **number, qualifications and selection of students for reduced**  
11 **tuition; tuition for veterans, their spouses and children;**  
12 **reciprocal residency.**

13

14 (h) Trustees shall through regulation provide that  
15 students receiving a Hathaway expand Wyoming scholarship in  
16 any amount shall qualify for resident tuition at the  
17 university each semester the student receives the  
18 scholarship.

19

20 **21-18-202. Powers and duties of the commission.**

21

22 (a) The commission shall perform the following general  
23 functions:

1

2 (iii) Establish residency requirements, which  
3 shall include provisions for military veterans, eligible  
4 individuals and covered individuals as described in 38 U.S.C.  
5 3679(c)(2) consistent with the requirements of W.S.  
6 21-17-105(e). The commission shall provide that students  
7 receiving a Hathaway expand Wyoming scholarship in any amount  
8 shall qualify for resident tuition each semester the student  
9 receives the scholarship;

10

11 **Section 3.** There is created the Hathaway expand Wyoming  
12 scholarship account within the Hathaway student scholarship  
13 endowment fund. For accounting and investing purposes only  
14 the scholarship account shall be treated as a separate  
15 account. The state treasurer is authorized to accept private  
16 monetary gifts for the account. The Hathaway expand Wyoming  
17 scholarship account shall exist until the state treasurer  
18 certifies to the department of education the balance of the  
19 Hathaway expand Wyoming scholarship account is equal to or  
20 greater than ten million dollars (\$10,000,000.00). Once the  
21 balance of the Hathaway expand Wyoming scholarship account is  
22 equal to or greater than ten million dollars  
23 (\$10,000,000.00), the funds within the account shall be

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

4

5       **Section 4.** Notwithstanding W.S. 21-16-1312 as created  
6 by this act and W.S. 21-16-302(a) as amended by this act, no  
7 Hathaway expand Wyoming scholarships shall be awarded until  
8 the state treasurer certifies to the department of education  
9 the balance of the Hathaway expand Wyoming scholarship  
10 account is equal to or greater than five million dollars  
11 (\$5,000,000.00). Once that threshold has been reached and the  
12 account has ceased to exist pursuant to section 3 of this  
13 act, Hathaway expand Wyoming scholarships shall be awarded  
14 pursuant to W.S. 21-16-1312.

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16       **Section 5.** This act is effective July 1, 2019.

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18

(END)