

HOUSE BILL NO. HB0059

Wyoming national guard tuition benefits.

Sponsored by: Joint Transportation, Highways & Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to defense forces and affairs; extending
2 existing educational assistance benefits for Wyoming
3 national guard members in exchange for additional service
4 commitments; allowing transfer of educational assistance
5 benefits to spouses and dependents; correcting terminology;
6 providing an appropriation; and providing for an effective
7 date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 19-9-502(a) by creating a new
12 paragraph (viii), 19-9-503(a)(intro), (ii) through (iv),
13 (b)(intro), (iii) through (v) and by creating a new
14 subsection (c) and 19-9-504(a)(i), (ii)(B), (iii), (iv) and
15 by creating a new subsection (c) are amended to read:

1

2 **19-9-502. Definitions.**

3

4 (a) As used in this article:

5

6 (viii) "Dependent" means a person enrolled as a
7 dependent in the defense enrollment eligibility reporting
8 system.

9

10 **19-9-503. Requirements for educational assistance;**
11 **assistance payments.**

12

13 (a) Subject to legislative appropriation and in
14 accordance with the provisions of this article, the
15 adjutant general or his designee, may authorize the payment
16 of higher education tuition and mandatory fees for active
17 members of the Wyoming national guard or for the spouse or
18 dependents of active members of the Wyoming national guard
19 as provided in subsection (c) of this section. To be
20 eligible to participate in the plan members shall:

21

22 (ii) Meet the standards for satisfactory
23 participation in the ~~active~~ Wyoming national guard at the

1 beginning of and throughout the entire academic term for
2 which assistance is received;

3

4 (iii) Be committed through an enlistment
5 contract or other written agreement to membership in the
6 ~~active~~ Wyoming national guard for not less than six (6)
7 years, including initial enlistment and any previous
8 contract or contracts;

9

10 (iv) Agree in writing to serve in the ~~active~~
11 Wyoming national guard for two (2) years after the last day
12 of the last academic term for which assistance is received
13 under the plan. This two (2) year period of service may be
14 within the six (6) year commitment period required by
15 paragraph (iii) of this subsection;

16

17 (b) Members meeting the requirements of subsection
18 (a) of this section or spouses or dependents under
19 subsection (c) of this section may receive educational
20 assistance benefit payments as follows:

21

22 (iii) Eligible members or spouses or dependents
23 under subsection (c) of this section who are not Wyoming

1 residents may receive benefits as provided in paragraphs
2 (i) and (ii) of this subsection, but the benefit payment
3 shall not exceed the amount of tuition and mandatory fees
4 ~~which~~that would have been charged if the member or the
5 spouse or dependent under subsection (c) of this section
6 were a Wyoming resident;

7
8 (iv) Payment shall be made directly to the
9 institution after the institution officially certifies that
10 the member or the spouse or dependent under subsection (c)
11 of this section has registered;

12
13 (v) Payments under the plan together with any
14 federal tuition assistance received by the member or the
15 spouse or dependent under subsection (c) of this section
16 shall not exceed one hundred percent (100%) of the tuition
17 and mandatory fees charged.

18
19 (c) Members of the Wyoming national guard who meet
20 the standards for satisfactory participation in the Wyoming
21 national guard, upon completion of their initial mandatory
22 service obligation under paragraph (a)(iii) of this
23 section, may transfer any Wyoming national guard

1 educational assistance plan benefits that have not reached
2 the limits under W.S. 19-9-504(a) and (c) to their spouse
3 or dependent to be paid in accordance with subsection (b)
4 of this section. The transfer of benefits by the member
5 requires the member to agree in writing to serve in the
6 Wyoming national guard for not less than four (4)
7 additional years after the date the benefit has been
8 transferred. This four (4) year period of service is in
9 addition to the six (6) year commitment period required by
10 paragraph (a)(iii) of this section. The member's spouse or
11 dependent may subsequently transfer any remaining benefits
12 that have not reached the limits under W.S. 19-9-504(a) and
13 (c) back to the member to use subject to this section. The
14 member and the member's spouse or dependent cannot use the
15 benefits concurrently.

16

17 **19-9-504. Restrictions; repayment of benefits.**

18

19 (a) Plan participation and benefit payments shall be
20 subject to the following additional restrictions and
21 qualifications:

22

1 (i) The plan may be used to complete only one
2 (1) degree, certificate or other educational objective,
3 except as authorized under subsection (c) of this section;
4

5 (ii) Participation shall be limited to the
6 earlier of:

7
8 (B) The participant's completion of ~~his~~the
9 participant's one (1) degree, certificate or other
10 educational objective, unless authorized for additional
11 education under subsection (c) of this section.
12

13 (iii) Any member receiving educational
14 assistance under the plan, or whose spouse or dependent is
15 receiving educational assistance under the plan, who fails
16 to maintain satisfactory participation in the active
17 Wyoming national guard shall repay all educational
18 assistance granted under the plan for that current academic
19 term. The member, or the member's spouse or dependent if
20 applicable, shall be ineligible for educational assistance
21 under the plan until the adjutant general has determined
22 that the member meets the minimum requirements for
23 satisfactory membership in the Wyoming national guard;

1

2 (iv) Any member who has received assistance
3 under the plan and who fails to complete the initial six
4 (6) year commitment required by W.S. 19-9-503(a)(iii) and
5 maintain satisfactory participation in the ~~active~~ Wyoming
6 national guard for the two (2) year period required by W.S.
7 19-9-503(a)(iv), or who fails to complete any additional
8 commitment under subsection (c) of this section or under
9 W.S. 19-9-503(c), shall repay all educational assistance
10 received under the plan.

11

12 (c) The plan may be used to complete authorized
13 courses to complete one (1) additional degree, certificate
14 or other educational objective beyond the one (1) degree,
15 certificate or other educational objective authorized in
16 paragraph (a)(i) of this section if the member agrees in
17 writing to serve in the Wyoming national guard for not less
18 than four (4) years in addition to the six (6) year
19 commitment period required by W.S. 19-9-503(a)(iii) and the
20 two (2) year commitment period required by W.S.
21 19-9-503(a)(iv).

22

1 **Section 2.** There is appropriated seven hundred
2 forty-five thousand five hundred twenty-nine dollars
3 (\$745,529.00) from the general fund to the Wyoming military
4 department for the purposes of paying the extended
5 educational assistance benefits under this act. This
6 appropriation shall be for the period beginning with the
7 effective date of this act and ending June 30, 2024. This
8 appropriation shall not be transferred or expended for any
9 other purpose and any unexpended, unobligated funds
10 remaining from this appropriation shall revert as provided
11 by law on June 30, 2024. It is the intent of the
12 legislature that this appropriation be included in the
13 military department's standard budget for the immediately
14 succeeding fiscal biennium.

15

16 **Section 3.** This act is effective July 1, 2023.

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(END)