

IN THE SENATE

SENATE BILL NO. 1292

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE TUITION LOCK PLAN; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE,
2 BY THE ADDITION OF A NEW SECTION 33-3717D, IDAHO CODE, TO PROVIDE THE
3 TUITION LOCK PLAN FOR UNDERGRADUATE STUDENTS AND RELATED PROVISIONS AND
4 TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RULES;
5 AMENDING SECTION 33-3726, IDAHO CODE, TO ESTABLISH THE TUITION LOCK
6 STABILIZATION ACCOUNT IN THE HIGHER EDUCATION STABILIZATION FUND; AND
7 PROVIDING A SUNSET DATE.
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Chapter 37, Title 33, Idaho Code, be, and the same is
11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
12 ignated as Section 33-3717D, Idaho Code, and to read as follows:

13 33-3717D. TUITION LOCK PLAN FOR UNDERGRADUATE STUDENTS -- RULEMAK-
14 ING. (1) The purpose of this section is to provide stable and predictable
15 tuition to undergraduate resident students at Idaho's four (4) year postsec-
16 ondary educational institutions.

17 (2) For purposes of the section:

18 (a) "Board" means the state board of education.

19 (b) "Eligible institution" means a four (4) year public postsecondary
20 organization governed by the board.

21 (c) "Eligible student" means a student who:

22 (i) Is an Idaho resident as defined in section 33-3717B, Idaho
23 Code;

24 (ii) Is a student who has completed secondary education;

25 (iii) Has enrolled full time in a four (4) year Idaho postsecondary
26 educational institution; and

27 (iv) Is a postsecondary undergraduate student who has not previ-
28 ously completed a baccalaureate degree or is a student previously
29 enrolled at a public two (2) year Idaho postsecondary educational
30 institution and is transferring to a four (4) year institution as a
31 degree-seeking student.

32 (3) The board shall promulgate rules to determine student eligibility,
33 as well as other rules necessary for the administration of this section.

34 (4) Notwithstanding any other provision of this chapter and except as
35 otherwise provided by this section, an eligible institution shall offer each
36 entering first-time, full-time undergraduate student, including each un-
37 dergraduate student who transfers to an eligible institution from another
38 eligible institution or an Idaho community college, regardless of the number
39 of semester credit hours transferred by the student, the opportunity to par-
40 ticipate in a tuition lock plan.

41 (5) A tuition lock plan offered under this section shall provide that:

1 (a) During the forty-eight (48) months immediately following the date
 2 of a student's first-time, full-time enrollment at an eligible insti-
 3 tution, the institution may not charge tuition to the student for a
 4 semester or other academic term at a rate that exceeds the rate the el-
 5 igible institution charged during the first academic year in which the
 6 student enrolled full time in the institution.

7 (b) A locked tuition rate charged to a student by an eligible institu-
 8 tion does not apply to the student once the student has been awarded a
 9 baccalaureate degree by the institution.

10 (c) Each eligible institution shall notify each entering undergradu-
 11 ate student, including each undergraduate student who transfers from
 12 an Idaho community college, of the tuition lock plan offered under this
 13 section.

14 (d) This section does not apply to the tuition charged by an eligible
 15 institution to a student who enters an eligible institution for the
 16 first time before the 2016 fall semester.

17 (6) To maintain eligibility, a student must meet satisfactory academic
 18 progress as established by the board.

19 (7) The state shall appropriate moneys annually to offset any increase
 20 in tuition at the eligible institutions over students' locked tuition rates.
 21 In the event the appropriation does not fully offset an increase, moneys will
 22 be transferred from the higher education stabilization fund.

23 SECTION 2. That Section 33-3726, Idaho Code, be, and the same is hereby
 24 amended to read as follows:

25 33-3726. HIGHER EDUCATION STABILIZATION FUND. There is hereby created
 26 in the state treasury a fund to be known as the higher education stabiliza-
 27 tion fund. The higher education stabilization fund shall consist of ~~three~~
 28 four (~~3~~4) separate accounts as follows:

29 (1) An account designated the strategic interest account shall consist
 30 of interest earnings from the investment of moneys deposited with the state
 31 treasurer into unrestricted current fund 0650-00, as designated by the state
 32 controller in the statewide accounting and reporting system. Annually on
 33 July 1, or as soon thereafter as is practicable, the state controller shall
 34 transfer such interest earnings to the strategic interest account. All mon-
 35 eys so transferred shall be expended for the maintenance, use and support
 36 of institutions that have deposited moneys into unrestricted current fund
 37 0650-00. All such expenditures shall be subject to legislative appropria-
 38 tion. Institutions shall receive a pro rata share of a legislative appro-
 39 priation based upon the amount of moneys any such institution has deposited
 40 into unrestricted current fund 0650-00 in the current fiscal year compared
 41 to the total amount deposited by all institutions in the current fiscal year.
 42 Interest earned from the investment of moneys in the strategic interest ac-
 43 count shall be retained in the strategic interest account.

44 (2) An account designated the surplus stabilization account shall
 45 consist of any other moneys made available through legislative transfers,
 46 appropriations or otherwise provided by law, or from any other governmen-
 47 tal source. All such moneys shall be expended for the maintenance, use and
 48 support of institutions named in section 33-3803, Idaho Code. Such expendi-
 49 tures shall be made subject to legislative appropriation to the state board

1 of education for college and universities. Distribution of such moneys to
2 institutions shall be based upon the state board of education's established
3 practices for the allocation of moneys to such institutions. Interest
4 earned from the investment of moneys in this surplus stabilization account
5 shall be retained in this surplus stabilization account.

6 (3) An account designated the surplus stabilization account for East-
7 ern Idaho Technical College, North Idaho College, College of Southern Idaho
8 and College of Western Idaho shall consist of any other moneys made available
9 through legislative transfers, appropriations or otherwise provided by law,
10 or from any other governmental source. All such moneys shall be expended for
11 the maintenance, use and support of Eastern Idaho Technical College, North
12 Idaho College, College of Southern Idaho and College of Western Idaho. Such
13 expenditures shall be made subject to legislative appropriation to Eastern
14 Idaho Technical College, through the appropriation to the division of pro-
15 fessional-technical education, and to the community colleges. Distribution
16 of such moneys shall be based upon established practices for the allocation
17 of moneys to Eastern Idaho Technical College through the division of profes-
18 sional-technical education, or the state board of education's established
19 practices for the allocation of moneys to the community colleges. Interest
20 earned from the investment of moneys in this surplus stabilization account
21 shall be retained in this surplus stabilization account.

22 (4) An account designated the tuition lock stabilization account for
23 University of Idaho, Boise State University, Idaho State University and
24 Lewis-Clark State College shall consist of any other moneys made available
25 through legislative transfers, appropriations or otherwise provided by law,
26 or from any other governmental source. All such moneys shall be expended
27 for the use and support of the tuition lock plan at the state's four (4) year
28 public institutions of higher education as established in section 33-3717D,
29 Idaho Code. Such expenditures shall be made subject to legislative appro-
30 priation to the state board of education for colleges and universities. In-
31 terest earned from the investment of moneys in this tuition lock stabiliza-
32 tion account shall be retained in this tuition lock stabilization account.

33 SECTION 3. The provisions of Section 1 of this act shall be null, void
34 and of no force and effect on and after July 1, 2021.