

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

S

1

SENATE BILL 251

Short Title: In-State Tuition For Certain Veterans. (Public)

Sponsors: Senators Clark, Meredith (Primary Sponsors); D. Davis, Pate, Rabin, Sanderson, and Tarte.

Referred to: Rules and Operations of the Senate.

March 12, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO WAIVE THE TWELVE-MONTH RESIDENCY REQUIREMENT AND
3 CHARGE THE IN-STATE TUITION RATE FOR VETERANS WHO RECEIVE
4 CERTAIN FEDERAL EDUCATIONAL BENEFITS, THEIR SPOUSES, AND THEIR
5 DEPENDENT RELATIVES WHO ARE THE RECIPIENTS OF CERTAIN FEDERAL
6 EDUCATIONAL BENEFITS AND TO WAIVE THE TWELVE-MONTH RESIDENCY
7 REQUIREMENT AND CHARGE THE IN-STATE TUITION RATE FOR CERTAIN
8 OTHER VETERANS.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** Article 14 of Chapter 116 of the General Statutes is amended by
11 adding the following new sections to read:

12 **"§ 116-143.3A. Waiver of 12-month residency requirement for veterans receiving certain**
13 **federal educational benefits and their spouses and dependent relatives.**

14 (a) Definitions. – The following definitions apply in this section:

15 (1) Abode. – Has the same meaning as in G.S. 116-143.3(a)(1).

16 (2) Armed Forces. – Has the same meaning as in G.S. 116-143.3(a)(2).

17 (3) Veteran. – A person who served active duty for not less than 90 days in the
18 Armed Forces, the Commissioned Corps of the U.S. Public Health Service,
19 or the National Oceanic and Atmospheric Administration and who was
20 discharged or released from such service under conditions other than
21 dishonorable.

22 (b) Waiver of 12-Month Residency Requirement for Veteran Receiving Certain Federal
23 Educational Benefits. – Any veteran who qualifies for admission to an institution of higher
24 education as defined in G.S. 116-143.1(a)(3) is eligible to be charged the in-State tuition rate
25 and applicable mandatory fees for enrollment without satisfying the 12-month residency
26 requirement under G.S. 116-143.1, provided the veteran meets all of the following criteria:

27 (1) The veteran applies for admission to the institution of higher education and
28 enrolls within three years of the veteran's discharge or release from the
29 Armed Forces, the Commissioned Corps of the U.S. Public Health Service,
30 or the National Oceanic and Atmospheric Administration.

31 (2) The veteran qualifies for and uses educational benefits pursuant to 38 U.S.C.
32 Chapter 30 (Montgomery G.I. Bill Active Duty Education Assistance
33 Program) or 38 U.S.C. Chapter 33 (Post-9/11 Educational Assistance).

34 (3) The veteran's abode is in North Carolina.



1 (4) The veteran provides the institution of higher education at which the veteran
2 intends to enroll a letter of intent to establish residence in North Carolina.
3 (c) Eligibility of Veteran's Spouse and Dependent Relatives Who Are Recipients of
4 Transferred Federal Educational Benefits. – Any person who is the spouse or a dependent
5 relative of a veteran is also eligible to be charged the in-State tuition rate and applicable
6 mandatory fees for enrollment without satisfying the 12-month residency requirement under
7 G.S. 116-143.1, if the person meets all of the following criteria:

8 (1) The person qualifies for admission to the institution of higher education as
9 defined in G.S. 116-143.1(a)(3) and enrolls in the institution of higher
10 education within three years of the veteran's discharge or release from the
11 Armed Forces, the Commissioned Corps of the U.S. Public Health Service,
12 or the National Oceanic and Atmospheric Administration.

13 (2) The person is the recipient of transferred federal educational benefits
14 pursuant to 38 U.S.C. Chapter 30 (Montgomery G.I. Bill Active Duty
15 Education Assistance Program) or 38 U.S.C. Chapter 33 (Post-9/11
16 Educational Assistance).

17 (3) The person's abode is in North Carolina.

18 (4) The person provides the institution of higher education at which the person
19 intends to enroll a letter of intent to establish residence in North Carolina.

20 (d) Eligibility While Continuously Enrolled at the Same Institution of Higher
21 Education. – After enrollment in an institution of higher education, any veteran, spouse, or
22 dependent relative of any veteran who is eligible for in-State tuition under this section shall
23 continue to be eligible for the in-State tuition rate so long as the covered individual remains
24 continuously enrolled (other than during regularly scheduled breaks between courses, quarters,
25 terms, or semesters) at that institution of higher education.

26 **§ 116-143.3B. Waiver of 12-month residency requirement for certain veterans without**
27 **certain federal educational benefits.**

28 (a) Definitions. – The following definitions apply in this section:

29 (1) Abode. – Has the same meaning as in G.S. 116-143.3(a)(1).

30 (2) Armed Forces. – Has the same meaning as in G.S. 116-143.3(a)(2).

31 (3) Veteran. – Has the same meaning as in G.S. 116-143.3A(a)(3).

32 (b) Waiver of 12-Month Residency Requirement for Veteran Who Do Not Qualify for
33 Certain Federal Educational Benefits. – Any veteran who qualifies for admission to an
34 institution of higher education as defined in G.S. 116-143.1(a)(3) is eligible to be charged the
35 in-State tuition rate and applicable mandatory fees for enrollment without satisfying the
36 12-month residency requirement under G.S. 116-143.1, provided the veteran meets all of the
37 following criteria:

38 (1) The veteran does not qualify for educational benefits pursuant to 38 U.S.C.
39 Chapter 30 (Montgomery G.I. Bill Active Duty Education Assistance
40 Program) or 38 U.S.C. Chapter 33 (Post-9/11 Educational Assistance).

41 (2) The veteran qualifies for admission to an institution of higher education as
42 defined in G.S. 116-143.1(a)(3) and enrolls in the institution of higher
43 education within three years of the veteran's discharge or release from the
44 Armed Forces, the Commissioned Corps of the U.S. Public Health Service,
45 or the National Oceanic and Atmospheric Administration.

46 (3) The veteran's last permanent duty station was in North Carolina.

47 (4) The veteran's abode is in North Carolina.

48 (5) The veteran provides the institution of higher education at which the veteran
49 intends to enroll a letter of intent to establish residence in North Carolina.

50 (c) Eligibility While Continuously Enrolled at the Same Institution of Higher
51 Education. – After enrollment in an institution of higher education, any veteran who is eligible

1 for in-State tuition under this section shall continue to be eligible for the in-State tuition rate so
2 long as the veteran remains continuously enrolled (other than during regularly scheduled breaks
3 between courses, quarters, terms, or semesters) at that institution of higher education."

4 **SECTION 4.** This act becomes effective July 1, 2015. This act applies to qualified
5 veterans, their spouses and dependent relatives as defined by G.S. 116-143.3A, as enacted by
6 this act, who are enrolled or who enroll in institutions of higher education for any academic
7 quarter, term, or semester that begins on or after that date. This act also applies to veterans as
8 defined by G.S. 116-143.3B, as enacted by this act, who are enrolled or who enroll in
9 institutions of higher education for any academic quarter, term, or semester that begins on or
10 after that date.