

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1142

Short Title: Tuition Waivers/Emergency Workers.

(Public)

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Sponsors: Representatives Redwine; and Thompson.

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Referred to: Education, if favorable, Judiciary II.

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April 21, 1997

A BILL TO BE ENTITLED

AN ACT TO WAIVE TUITION FOR CHILDREN OR SPOUSES OF CERTAIN  
EMERGENCY WORKERS KILLED OR DISABLED IN THE LINE OF DUTY.

The General Assembly of North Carolina enacts:

Section 1. The title of Chapter 115B reads as rewritten:

**"~~TUITION WAIVER FOR SENIOR CITIZENS. WAIVERS.~~"**

Section 2. G.S. 115B-1 reads as rewritten:

**"§ 115B-1. ~~Definition.~~ Definitions.**

~~As used in this Chapter, "tuition" shall mean the~~ The following definitions apply in this Chapter:

- (1) Permanently and totally disabled in the line of duty. – A person: (i) who as a law enforcement officer, firefighter, or volunteer firefighter suffered a disabling injury while in active service or training for active service, (ii) who at the time of active service or training was a North Carolina resident, and (iii) who has been rated permanently and totally disabled for compensation purposes by any of the following as appropriate: the State of North Carolina, the city or county law enforcement agency that employed the person, the administrative agency for the fire department or fire protection district recognized for

1 funding by the State or the administrative agency having jurisdiction  
2 over any paid firefighters of all counties and cities.

3 (2) Survivor. – Any person whose parent or spouse: (i) was a law  
4 enforcement officer, a firefighter, or a volunteer firefighter, (ii) was  
5 killed while in active service or training for active service or died as a  
6 result of a service-connected disability, and (iii) at the time of active  
7 service or training was a North Carolina resident. The term does not  
8 include the widow or widower of a law enforcement officer, firefighter,  
9 or volunteer firefighter if the widow or widower has remarried.

10 (3) Tuition. – The amount charged for registering for a credit hour of  
11 instruction and shall not be construed to mean any other fees or charges  
12 or costs of textbooks."

13 Section 3. G.S. 115B-2 reads as rewritten:

14 **"§ 115B-2. Tuition waiver authorized.**

15 State-supported institutions of higher education, community colleges, industrial  
16 education centers and technical institutes, shall permit ~~legal residents of North Carolina who~~  
17 ~~have attained the age of 65~~ the following persons to attend classes for credit or noncredit  
18 purposes without the required payment of tuition; provided, however, that such persons  
19 meet admission and other standards deemed appropriate by the educational institution,  
20 and provided further that such persons shall be accepted by the constituent institutions of  
21 the University of North Carolina only on a spaces-available ~~basis-basis~~:

22 (1) Legal residents of North Carolina who have attained the age of 65.

23 (2) Any person who is the survivor of a police officer, firefighter, or  
24 volunteer firefighter killed in the line of duty.

25 (3) The spouse of a police officer, firefighter, or volunteer firefighter who is  
26 permanently and totally disabled in the line of duty.

27 (4) Any child, if the child is at least 17 years old but not yet 23 years old,  
28 whose parent is a police officer, firefighter, or volunteer firefighter who  
29 is permanently and totally disabled in the line of duty. However, a  
30 child's eligibility for a waiver of tuition under this Chapter shall not  
31 exceed: (i) 48 months, if the child is seeking a baccalaureate degree, or  
32 (ii) if the child is not seeking a baccalaureate degree, the number of  
33 months required to complete the educational program to which the child  
34 is applying."

35 Section 4. G.S. 115B-5 reads as rewritten:

36 **"§ 115B-5. Proof of eligibility.**

37 (a) The officials of such institutions charged with administration of this Chapter  
38 may require such proof as they deem necessary to insure that ~~the~~ a person applying to the  
39 institution as a senior citizen is eligible for the benefits provided by this Chapter.

40 (b) The officials of such institutions charged with administration of this Chapter  
41 shall require the following proof to insure that a person applying to the institution and  
42 who requests a tuition waiver under G.S. 115B-2(4),(5), or (6) is eligible for the benefits  
43 provided by this Chapter.

- 1           (1)    The parent-child relationship shall be verified by a birth certificate, legal  
2           adoption papers, or other documentary evidence deemed appropriate by  
3           the institution.
- 4           (2)    The marital relationship shall be verified by a marriage certificate or  
5           other documentary evidence deemed appropriate by the institution.
- 6           (3)    The cause of death of the law enforcement officer, firefighter, or  
7           volunteer firefighter shall be verified by certification from the records of  
8           the Department of State Treasurer, the appropriate city or county law  
9           enforcement agency that employed the deceased, the administrative  
10          agency for the fire department or fire protection district recognized for  
11          funding under the Department of State Auditor, or the administrative  
12          agency having jurisdiction over any paid firefighters of all counties and  
13          cities.
- 14          (4)    The permanent and total disability shall be verified by documentation  
15          deemed necessary by the institution from any of the following as  
16          appropriate: the State of North Carolina, the city or county law  
17          enforcement agency that employed the person, the administrative  
18          agency for the fire department or fire protection district recognized for  
19          funding by the State or the administrative agency having jurisdiction  
20          over any paid firefighters of all counties and cities."

21           Section 5. Chapter 115B is amended by adding a new section to read:

22    "**§ 115B-5A. Student to be credited for scholarship value.**

23           If a person obtains a tuition waiver under G.S. 115B-2(4),(5), or (6) and the person  
24           also receives a cash scholarship paid or payable to the institution, from whatever source,  
25           the amount of the scholarship shall be applied to the credit of the person in the payment  
26           of incidental expenses of the person's attendance at the institution, and any balance, if the  
27           terms of the scholarship permit, shall be returned to the student."

28           Section 6. This act becomes effective July 1, 1997, and applies to deaths or  
29           disabilities occurring on or after that date.