

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 61

Short Title: Military Personnel/Tuition.

(Public)

Sponsors: Senators Rand; Foxx and Shaw.

Referred to: Education/Higher Education.

February 18, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO SIMPLIFY THE PROCEDURE FOR CALCULATING TUITION FOR
3 MILITARY PERSONNEL AND THEIR DEPENDENTS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 116-143.3 reads as rewritten:

6 "§ 116-143.3. Tuition of personnel in the armed services.

7 (a) For purposes of this section the term "armed services" shall mean the United
8 States Air Force, Army, Coast Guard, Marine Corps, and Navy; the North Carolina
9 National Guard; and any Reserve Component of the foregoing. The term "abode" shall
10 mean the place where a person actually lives, whether temporarily or permanently; the
11 term "abide" shall mean to live in a given place.

12 (b) Any member of the armed services ~~qualifying for admission and any~~
13 dependent relative of the member who is admitted to an institution of higher education
14 as defined in G.S. 116-143.1(a)(3) but not qualifying as a resident for tuition purposes
15 under G.S. 116-143.1 shall be charged the out of State tuition rate; provided, that the
16 out of State tuition shall be forgiven to the extent that the out of State tuition rate
17 exceeds any amounts payable to the institution or the service member by the service
18 member's employer by reason of enrollment pursuant to such admission while the
19 member is abiding in this State incident to active military duty, plus the amount that
20 represents the percentage of the out of State tuition rate paid to the institution or the
21 service member by the service member's employer multiplied by the in State tuition rate
22 and then subtracted from the in State tuition rate. Any member of the armed services
23 who does not qualify for any payment by the member's employer shall be eligible to be
24 charged the in State tuition rate and shall pay the full amount of the in State tuition rate.
25 duty is eligible to be charged the in-State tuition rate. Furthermore, any member of the
26 armed services who resides outside of the State and who registers for a course delivered
27 through distance learning is eligible to be charged the in-State tuition rate.

28 (c) ~~Any dependent relative of a member of the armed services who is abiding in~~
29 ~~this State incident to active military duty, as defined by the Board of Governors of The~~

1 ~~University of North Carolina and by the State Board of Community Colleges while~~
2 ~~sharing the abode of that member shall be eligible to be charged the in-State tuition rate,~~
3 ~~if the dependent relative qualifies for admission to an institution of higher education as~~
4 ~~defined in G.S. 116-143.1(a)(3).~~ The dependent relatives shall comply with the
5 requirements of the Selective Service System, if applicable, in order to be accorded this
6 benefit. In the event the member of the armed services removes his or her abode from
7 North Carolina during an academic year, the dependent relative shall continue to be
8 eligible for the in-State tuition rate during the remainder of that academic year.

9 (d) The burden of proving entitlement to the benefit of this section shall lie with
10 the applicant therefor.

11 (e) A person charged less than the out-of-State tuition rate solely by reason of
12 this section shall not, during the period of receiving that benefit, qualify for or be the
13 basis of conferring the benefits of G.S. 116-143.1(g), (h), (i), (j), (k), or (l)."

14 **SECTION 2.** This act is effective when it becomes law and applies to the
15 2003-2004 academic year and each year thereafter.