

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 119

Short Title: In-State Tuition/Dept. of Defense Employees.

(Public)

Sponsors: Senators Rand; Brown, Goodall, and Preston.

Referred to: Education/Higher Education.

February 12, 2007

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT EMPLOYEES OF THE DEPARTMENT OF  
DEFENSE AND THEIR DEPENDENTS SHALL QUALIFY FOR THE IN-STATE  
TUITION RATE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 14 of Chapter 116 of the General Statutes is amended  
by adding a new section to read:

**"§ 116-143.7. Tuition of employees of the Department of Defense and their dependents.**

(a) Definition. – For purposes of this section, the term "employee" means a person who is employed by the United States Department of Defense.

(b) Employee to Be Charged in-State Tuition. – Any employee qualifying for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3) but not qualifying as a resident for tuition purposes under G.S. 116-143.1 shall be charged the in-State tuition rate and applicable mandatory fees for enrollments while the employee is abiding in this State incident to employment with the Department of Defense in this State. In the event the employee is reassigned by the Department of Defense outside of North Carolina or retires, the employee shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the employee is continuously enrolled in the degree or other program in which the employee was enrolled at the time the employee is reassigned. In the event the employee retires from the Department of Defense, the retired employee shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as he or she establishes residency in North Carolina within 30 days after the date of retirement and is continuously enrolled in the degree or other program in which the employee was enrolled at the time the employee retired.

(c) Dependant to Be Charged in-State Tuition. – Any dependent relative of an employee who is abiding in this State incident to employment by the Department of Defense while sharing the abode of the employee shall be eligible to be charged the

1 in-State tuition rate if the dependent relative qualifies for admission to an institution of  
2 higher education as defined in G.S. 116-143.1(a)(3). The dependent relative shall  
3 comply with the requirements of the Selective Service System, if applicable, in order to  
4 be accorded this benefit. In the event the employee is reassigned by the Department of  
5 Defense outside of North Carolina or retires, the dependent relative shall continue to be  
6 eligible for the in-State tuition rate and applicable mandatory fees so long as the  
7 dependent relative is continuously enrolled in the degree or other program in which the  
8 dependent relative was enrolled at the time the employee is reassigned or retires. In the  
9 event the employee retires, the dependent relative shall continue to be eligible for the  
10 in-State tuition rate and applicable mandatory fees so long as the dependent relative  
11 establishes residency within North Carolina within 30 days after the date of retirement  
12 and is continuously enrolled in the degree or other program in which the dependent  
13 relative was enrolled at the time the member is discharged.

14 (d) The person applying for the benefit of this section has the burden of proving  
15 entitlement to the benefit.

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

19 **SECTION 2.** This act becomes effective July 1, 2007, and applies to the  
20 2007-2008 academic year.