

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 691
Apr 9, 2013
HOUSE PRINCIPAL CLERK

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HOUSE DRH10243-MK-99 (03/26)

Short Title: Limit Soldiers CC Tuition.

(Public)

Sponsors: Representatives Szoka, Hastings, Malone, and Martin (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO LIMIT COMMUNITY COLLEGE TUITION FOR ACTIVE DUTY SERVICE
3 MEMBERS SO THAT THE MAXIMUM RATE SHALL NOT EXCEED AVAILABLE
4 FEDERAL TUITION ASSISTANCE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 116-143.3(b) reads as rewritten:

7 "(b) Any active duty member of the Armed Forces qualifying for admission to an
8 institution of higher education as defined in G.S. 116-143.1(a)(3) but not qualifying as a
9 resident for tuition purposes under G.S. 116-143.1 shall be charged the in-State tuition rate and
10 applicable mandatory fees for enrollments while the member of the Armed Forces is abiding in
11 this State incident to active military duty in this State. In the event the active duty member of
12 the Armed Forces is reassigned outside of North Carolina or retires, the member shall continue
13 to be eligible for the in-State tuition rate and applicable mandatory fees so long as the member
14 is continuously enrolled in the degree or other program in which the member was enrolled at
15 the time the member is reassigned. In the event the active duty member of the Armed Forces
16 receives an Honorable Discharge from military service, the member shall continue to be
17 eligible for the in-State tuition rate and applicable mandatory fees so long as the member
18 establishes residency in North Carolina within 30 days after the discharge and is continuously
19 enrolled in the degree or other program in which the member was enrolled at the time the
20 member is discharged.

21 Notwithstanding G.S. 115D-5(b), any active duty member of the Armed Forces qualifying
22 for admission to a community college, as defined in G.S. 115D-2(2), but who is not eligible to
23 be charged the in-State tuition rate pursuant to this subsection shall be charged the out-of-state
24 tuition rate charged nonresident students pursuant to G.S. 116-144; provided, however, that if
25 the amount of the out-of-state tuition rate exceeds the amount of tuition assistance available
26 from the federal government as set forth in the U.S. Department of Defense Directive,
27 1322.08E, promulgated pursuant to 10 U.S.C. §§ 2005 and 2007, for active duty members of
28 the Armed Forces, the amount by which the out-of-state tuition rate exceeds the amount of the
29 federal tuition assistance available to the institution or active duty member of the Armed Forces
30 shall be waived."

31 **SECTION 2.** This act becomes effective July 1, 2013.

