

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 1183
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HOUSE PRINCIPAL CLERK

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HOUSE DRH30749-LHa-208E* (03/03)

Short Title: In-State Tuition/Certain Veterans & Family. (Public)

Sponsors: Representatives Cleveland, J. Bell, and Catlin (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CERTAIN VETERANS AND THEIR SPOUSES AND DEPENDENT
3 RELATIVES WHO ENROLL IN ANY OF THE STATE'S PUBLIC INSTITUTIONS OF
4 HIGHER EDUCATION ELIGIBLE FOR IN-STATE TUITION BY WAIVING THE
5 TWELVE-MONTH STATE RESIDENCY REQUIREMENT AND TO APPROPRIATE
6 FUNDS TO IMPLEMENT THE PROVISIONS OF THIS ACT.

7 The General Assembly of North Carolina enacts:

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

10 "**§ 116-143.3A. Waiver of 12-month residency requirement for certain veterans and their**
11 **spouses and dependent relatives.**

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

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

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

15 (3) Home of record. – The state listed in the person's military separation
16 document.

17 (4) Institution of higher education. – Has the same meaning as in
18 G.S. 116-143.1(a)(1).

19 (b) Waiver of 12-Month Residency Requirement for Veteran. – Any veteran who meets
20 all of the following criteria is eligible to be charged the in-State tuition rate and applicable
21 mandatory fees for enrollment without satisfying the 12-month residency requirement under
22 G.S. 116-143.1:

23 (1) Served active duty in the Armed Forces and was discharged or released from
24 the Armed Forces under conditions other than dishonorable.

25 (2) Applies for admission to the institution of higher education and enrolls as an
26 undergraduate at a constituent institution or as a student at a community
27 college within three years of the veteran's discharge or release from the
28 Armed Forces.

29 (3) North Carolina is the veteran's home of record or last duty station.

30 (4) Qualifies for one hundred percent (100%) of the federal benefits under 38
31 U.S.C. Chapter 30 (Montgomery G.I. Bill Active Duty Education Assistance
32 Program) or 38 U.S.C. Chapter 33 (Post-9/11 Educational Assistance).

33 (5) North Carolina is the abode of the veteran on the date of enrollment.

34 (c) Eligibility of Veteran's Spouse and Dependent Relatives. – The spouse or dependent
35 relative of any veteran described in subsection (b) of this section is eligible to be charged the
36 in-State tuition rate and applicable mandatory fees for enrollment without satisfying the



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1 12-month residency requirement under G.S. 116-143.1, provided the spouse or dependent
2 relative meets all of the following criteria:

3 (1) Applies for admission to the institution of higher education as defined in
4 G.S. 116-143.1(a)(3) and enrolls as an undergraduate at a constituent
5 institution or as a student at a community college within three years of the
6 veteran's discharge or release from the Armed Forces.

7 (2) North Carolina is the abode of the spouse or dependent relative on the day of
8 enrollment.

9 (3) Receives transferred federal educational benefits from an eligible veteran
10 under 38 U.S.C. Chapter 30 (Montgomery G.I. Bill Active Duty Education
11 Assistance Program) or 38 U.S.C. Chapter 33 (Post-9/11 Educational
12 Assistance).

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

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

18 **SECTION 2.(a)** There is appropriated from the General Fund to the Board of
19 Governors of The University of North Carolina the sum of five million dollars (\$5,000,000) for
20 the 2014-2015 fiscal year to implement the provisions of this section.

21 **SECTION 2.(b)** There is appropriated from the General Fund to the State Board of
22 Community Colleges the sum of one million nine hundred thousand dollars (\$1,900,000) for
23 the 2014-2015 fiscal year to implement the provisions of this section.

24 **SECTION 3.** This act becomes effective July 1, 2014, and applies to veterans
25 discharged or released on or after July 1, 2014, and the spouses and dependents of those
26 veterans.