Represents Carson Smith

Amends Title [NO] Second Edition

Date ________________________, 2024

H263-AMTa-58 [v.3]

sections 8.13(a) G.S. 115B-1 reads as rewritten:

"§ 115B-1. Definitions.

The following definitions apply in this Chapter:

(1) Correctional officer. – An employee of an employer who is certified as a State correctional officer under the provisions of Article 1 of Chapter 17C of the General Statutes.

(1a) Employer. – The State of North Carolina and its departments, agencies, and institutions; or a county, city, town, or other political subdivision of the State.

(2) Firefighter or volunteer firefighter. – The same as provided in G.S. 58-86-25 for "eligible firemen".

(3) Law enforcement officer. – An employee or volunteer of an employer who possesses the power of arrest, who has taken the law enforcement oath administered under the authority of the State as prescribed by G.S. 11-11, and who is certified as a law enforcement officer under the provisions of Article 1 of Chapter 17C of the General Statutes or certified as a deputy sheriff under the provisions of Chapter 17E of the General Statutes. "Law enforcement officer" also means the sheriff of the county.

(4) Permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty. – A person: (i) who as a law enforcement officer, correctional officer, firefighter, volunteer firefighter, probation officer, or rescue squad worker 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 determined to be permanently and totally disabled for compensation purposes by the North Carolina Industrial Commission.

(4a) Probation officer. – An employee of an employer who is certified as a State probation officer under the provisions of Article 1 of Chapter 17C of the General Statutes.
(5) Rescue squad worker. – The same as provided in G.S. 58-86-30 for "eligible rescue squad worker".

(6) Survivor. – Any person whose parent, legal guardian, legal custodian, or spouse: (i) was a law enforcement officer, a correctional officer, a firefighter, a volunteer firefighter, probation officer, or a rescue squad worker, (ii) was killed while in active service or training for active service or died as a result of a service-connected disability, and (iii) at the time of active service or training was a North Carolina resident. The term does not include the widow or widower of a law enforcement officer, correctional officer, firefighter, volunteer firefighter, probation officer, or a rescue squad worker if the widow or widower has remarried.

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

SECTION 8.13. (b) G.S. 115B-2 reads as rewritten:

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

(a) The constituent institutions of The University of North Carolina and the community colleges as defined in G.S. 115D-2(2) shall permit the following persons to attend classes for credit or noncredit purposes without the required payment of tuition:

(1) Repealed by Session Laws 2009-451, s. 8.11(a), effective July 1, 2009.

(2) Any person who is the survivor of a law enforcement officer, correctional officer, firefighter, volunteer firefighter, probation officer, or rescue squad worker killed as a direct result of a traumatic injury sustained in the line of duty.

(3) The spouse of a law enforcement officer, correctional officer, firefighter, volunteer firefighter, probation officer, or rescue squad worker who is permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty.

(4) Any child, if the child is at least 17 years old but not yet 24 years old, whose parent, legal guardian, or legal custodian is a law enforcement officer, correctional officer, firefighter, volunteer firefighter, probation officer, or rescue squad worker who is permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty. However, a child's eligibility for a waiver of tuition under this Chapter shall not exceed: (i) 54 months, if the child is seeking a baccalaureate degree, or (ii) if the child is not seeking a baccalaureate degree, the number of months required to complete the educational program to which the child is applying.

(5) Any child, if the child (i) is at least 17 years old but not yet 24 years old, (ii) is a ward of North Carolina or was a ward of the State at the time the child reached the age of 18, (iii) is a resident of the State; and (iv) is eligible for services under the Chaffee Education and Training Vouchers Program; but the waiver shall only be to the extent that there is any tuition still payable after receipt of other financial aid received by the student.
(6) Any child enrolled in a regional school established pursuant to Part 10 of Article 16 of Chapter 115C of the General Statutes who enrolls in classes at a constituent institution or community college which has a written agreement with the regional school.

(b) Persons eligible for the tuition waiver under subsection (a) of this section must meet admission and other standards considered appropriate by the educational institution. In addition, the constituent institutions of The University of North Carolina shall accept these persons only on a space available basis."

SECTION 8.13.(c) G.S. 115B-5 reads as rewritten:

"§ 115B-5. Proof of eligibility.

(a) Repealed by Session Laws 2009-451, s. 8.11(c), effective July 1, 2009.

(b) The officials of the institutions charged with administration of this Chapter shall require the following proof to insure that a person applying to the institution and who requests a tuition waiver under G.S. 115B-2(a)(2), (3), or (4) is eligible for the benefits provided by this Chapter.

(1) The parent-child relationship shall be verified by a birth certificate, legal adoption papers, or other documentary evidence deemed appropriate by the institution.

(1a) The legal guardian-child relationship shall be verified by an order from a court proceeding that established the legal guardianship.

(1b) The legal custodian-child relationship shall be verified by an order from a court proceeding that established the legal custodianship.

(2) The marital relationship shall be verified by a marriage certificate or other documentary evidence deemed appropriate by the institution.

(3) The cause of death of the law enforcement officer, correctional officer, firefighter, volunteer firefighter, probation officer, or rescue squad worker shall be verified by certification from the records of the Department of State Treasurer, the appropriate city or county law enforcement agency that employed the deceased, the administrative agency for the fire department or fire protection district recognized for funding under the Department of State Auditor, or the administrative agency having jurisdiction over any paid firefighters of all counties and cities.

(4) The permanent and total disability shall be verified by documentation deemed necessary by the institution from the North Carolina Industrial Commission.

(c) The officials of the institutions charged with administration of this Chapter may require proof to verify that a person applying to the institution under G.S. 115B-2(a)(5) is eligible for the benefits provided by this Chapter."

SECTION 8.13.(d) This section is effective when it becomes law and applies beginning with the 2024-2025 academic year.".
NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 263

AMENDMENT NO. A25
(to be filled in by Principal Clerk)

H263-AMTa-58 [v.3]

SIGNED _____________________________
Amendment Sponsor

SIGNED _____________________________
Committee Chair if Senate Committee Amendment

ADOPTED ____________ FAILED ____________ TABLED ____________

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