

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 263

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

H263-AMTa-58 [v.3]

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Amends Title [NO]  
Second Edition

Date \_\_\_\_\_, 2024

Representative Carson Smith

1 moves to amend the bill on page 101, lines 27-28, by inserting between the lines the following:

2  
3 **"TUITION WAIVER FOR SURVIVORS OF FALLEN PROBATION OFFICERS**

4 **SECTION 8.13.(a)** G.S. 115B-1 reads as rewritten:

5 **"§ 115B-1. Definitions.**

6 The following definitions apply in this Chapter:

- 7 (1) Correctional officer. – An employee of an employer who is certified as a State
- 8 correctional officer under the provisions of Article 1 of Chapter 17C of the
- 9 General Statutes.
- 10 (1a) Employer. – The State of North Carolina and its departments, agencies, and
- 11 institutions; or a county, city, town, or other political subdivision of the State.
- 12 (2) Firefighter or volunteer firefighter. – The same as provided in G.S. 58-86-25
- 13 for "eligible firemen".
- 14 (3) Law enforcement officer. – An employee or volunteer of an employer who
- 15 possesses the power of arrest, who has taken the law enforcement oath
- 16 administered under the authority of the State as prescribed by G.S. 11-11, and
- 17 who is certified as a law enforcement officer under the provisions of Article 1
- 18 of Chapter 17C of the General Statutes or certified as a deputy sheriff under
- 19 the provisions of Chapter 17E of the General Statutes. "Law enforcement
- 20 officer" also means the sheriff of the county.
- 21 (4) Permanently and totally disabled as a direct result of a traumatic injury
- 22 sustained in the line of duty. – A person: (i) who as a law enforcement officer,
- 23 correctional officer, firefighter, volunteer firefighter, probation officer, or
- 24 rescue squad worker suffered a disabling injury while in active service or
- 25 training for active service, (ii) who at the time of active service or training was
- 26 a North Carolina resident, and (iii) who has been determined to be
- 27 permanently and totally disabled for compensation purposes by the North
- 28 Carolina Industrial Commission.
- 29 (4a) Probation officer. – An employee of an employer who is certified as a State
- 30 probation officer under the provisions of Article 1 of Chapter 17C of the
- 31 General Statutes.



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- 1 (5) Rescue squad worker. – The same as provided in G.S. 58-86-30 for "eligible  
2 rescue squad worker".  
3 (6) Survivor. – Any person whose parent, legal guardian, legal custodian, or  
4 spouse: (i) was a law enforcement officer, a correctional officer, a firefighter,  
5 a volunteer firefighter, probation officer, or a rescue squad worker, (ii) was  
6 killed while in active service or training for active service or died as a result  
7 of a service-connected disability, and (iii) at the time of active service or  
8 training was a North Carolina resident. The term does not include the widow  
9 or widower of a law enforcement officer, correctional officer, firefighter,  
10 volunteer firefighter, probation officer, or a rescue squad worker if the widow  
11 or widower has remarried.  
12 (7) Tuition. – The amount charged for registering for a credit hour of instruction  
13 and shall not be construed to mean any other fees or charges or costs of  
14 textbooks."

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

16 **"§ 115B-2. Tuition waiver authorized.**

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

- 20 (1) Repealed by Session Laws 2009-451, s. 8.11(a), effective July 1, 2009.  
21 (2) Any person who is the survivor of a law enforcement officer, correctional  
22 officer, firefighter, volunteer firefighter, probation officer, or rescue squad  
23 worker killed as a direct result of a traumatic injury sustained in the line of  
24 duty.  
25 (3) The spouse of a law enforcement officer, correctional officer, firefighter,  
26 volunteer firefighter, probation officer, or rescue squad worker who is  
27 permanently and totally disabled as a direct result of a traumatic injury  
28 sustained in the line of duty.  
29 (4) Any child, if the child is at least 17 years old but not yet 24 years old, whose  
30 parent, legal guardian, or legal custodian is a law enforcement officer,  
31 correctional officer, firefighter, volunteer firefighter, probation officer, or  
32 rescue squad worker who is permanently and totally disabled as a direct result  
33 of a traumatic injury sustained in the line of duty. However, a child's eligibility  
34 for a waiver of tuition under this Chapter shall not exceed: (i) 54 months, if  
35 the child is seeking a baccalaureate degree, or (ii) if the child is not seeking a  
36 baccalaureate degree, the number of months required to complete the  
37 educational program to which the child is applying.  
38 (5) Any child, if the child (i) is at least 17 years old but not yet 24 years old, (ii)  
39 is a ward of North Carolina or was a ward of the State at the time the child  
40 reached the age of 18, (iii) is a resident of the State; and (iv) is eligible for  
41 services under the Chaffee Education and Training Vouchers Program; but the  
42 waiver shall only be to the extent that there is any tuition still payable after  
43 receipt of other financial aid received by the student.

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1 (6) Any child enrolled in a regional school established pursuant to Part 10 of  
2 Article 16 of Chapter 115C of the General Statutes who enrolls in classes at a  
3 constituent institution or community college which has a written agreement  
4 with the regional school.

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

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

10 "**§ 115B-5. Proof of eligibility.**

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

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

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

19 (1a) The legal guardian-child relationship shall be verified by an order from a court  
20 proceeding that established the legal guardianship.

21 (1b) The legal custodian-child relationship shall be verified by an order from a  
22 court proceeding that established the legal custodianship.

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

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

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

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

38 **SECTION 8.13.(d)** This section is effective when it becomes law and applies  
39 beginning with the 2024-2025 academic year."

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SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

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and vote information, is available in the  
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