

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 1540

Short Title: Tuition Waiver/Some Military Family Members. (Public)

Sponsors: Representatives Vinson; Barnhart, Faison, Glazier, Martin, Moore, Setzer, Steen, and Underhill.

Referred to: Education.

April 21, 2005

A BILL TO BE ENTITLED

1 AN ACT TO WAIVE TUITION AT A CONSTITUENT INSTITUTION OF THE
2 UNIVERSITY OF NORTH CAROLINA OR A COMMUNITY COLLEGE FOR
3 CERTAIN PERSONS IF THE PERSON IS A RELATIVE OF A MEMBER OF
4 THE ARMED FORCES WHO IS DECEASED OR DISABLED.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 115B-1 reads as rewritten:

8 **"§ 115B-1. Definitions.**

9 The following definitions apply in this Chapter:

10 (1) Armed services. – The term has the same definition as
11 G.S. 116-143.3(a)(2).

12 ~~(1)~~(1a) Employer. – The State of North Carolina and its departments,
13 agencies, and institutions; or a county, city, town, or other political
14 subdivision of the State.

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

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

25 (4) Permanently and totally disabled as a direct result of a traumatic injury
26 sustained in the line of duty. – A person: (i) who as a law enforcement
27 officer, firefighter, volunteer firefighter, or rescue squad worker
28 suffered a disabling injury while in active service or training for active

1 service, (ii) who at the time of active service or training was a North
2 Carolina resident, and (iii) who has been determined to be permanently
3 and totally disabled for compensation purposes by the North Carolina
4 Industrial Commission.

5 (5) Rescue squad worker. – The same as provided in G.S. 58-86-30 for
6 "eligible rescue squad worker".

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

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

18 **SECTION 2.** G.S. 115B-2(a) reads as rewritten:

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

22 (1) Legal residents of North Carolina who have attained the age of 65.

23 (2) Any person who is the survivor of a law enforcement officer,
24 firefighter, volunteer firefighter, member of the armed forces, or
25 rescue squad worker killed as a direct result of a traumatic injury
26 sustained in the line of duty.

27 (3) The spouse of a law enforcement officer, firefighter, volunteer
28 firefighter, member of the armed services, or rescue squad worker who
29 is permanently and totally disabled as a direct result of a traumatic
30 injury sustained in the line of duty.

31 (4) Any child, if the child is at least 17 years old but not yet 23 years old,
32 whose parent is a law enforcement officer, firefighter, volunteer
33 firefighter, member of the armed services, or rescue squad worker who
34 is permanently and totally disabled as a direct result of a traumatic
35 injury sustained in the line of duty. However, a child's eligibility for a
36 waiver of tuition under this Chapter shall not exceed: (i) 48 months, if
37 the child is seeking a baccalaureate degree, or (ii) if the child is not
38 seeking a baccalaureate degree, the number of months required to
39 complete the educational program to which the child is applying."

40 **SECTION 3.** This act is effective when it becomes law, and applies to the
41 2005-2006 academic year and each subsequent academic year.